

# Union Calendar No. 453

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4942

[Report No. 106-786]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2000

Mr. ISTOOK, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the

1 District of Columbia for the fiscal year ending September  
2 30, 2001, and for other purposes, namely:

3 FEDERAL FUNDS

4 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

5 For a Federal payment to the District of Columbia  
6 for a nationwide program to be administered by the  
7 Mayor for District of Columbia resident tuition support,  
8 \$14,000,000, to remain available until expended: *Pro-*  
9 *vided*, That such funds may be used on behalf of eligible  
10 District of Columbia residents to pay an amount based  
11 upon the difference between in-State and out-of-State tui-  
12 tion at public institutions of higher education, usable at  
13 both public and private institutions for higher education:  
14 *Provided further*, That the awarding of such funds may  
15 be prioritized on the basis of a resident's academic merit  
16 and such other factors as may be authorized: *Provided*  
17 *further*, That not more than 5 percent of the funds may  
18 be used to pay administrative expenses.

19 FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF  
20 CHILDREN

21 The paragraph under the heading "Federal Payment  
22 for Incentives for Adoption of Children" in Public Law  
23 106–113, approved November 29, 1999 (113 Stat. 1501),  
24 is amended to read as follows: "For a Federal payment  
25 to the District of Columbia to create incentives to promote

1 the adoption of children in the District of Columbia foster  
2 care system, \$5,000,000: *Provided*, That such funds shall  
3 remain available until September 30, 2002, and shall be  
4 used to carry out all of the provisions of title 38, except  
5 for section 3808, of the Fiscal Year 2001 Budget Support  
6 Act of 2000, D.C. Bill 13–679, enrolled June 12, 2000.

7 FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER  
8 OF THE DISTRICT OF COLUMBIA

9 For a Federal payment to the Chief Financial Offi-  
10 cer of the District of Columbia, \$1,500,000, of which  
11 \$250,000 shall be for payment to a mentoring program  
12 and for hotline services; \$500,000 shall be for payment  
13 to a youth development program with a character build-  
14 ing curriculum; \$500,000 to remain available until ex-  
15 pended, shall be for the design, construction, and mainte-  
16 nance of a trash rack system to be installed at the Hick-  
17 ey Run stormwater outfall; and \$250,000 shall be for  
18 payment to support a program to assist homeless individ-  
19 uals to become productive, taxpaying citizens in the Dis-  
20 trict of Columbia.

21 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
22 CORRECTIONS TRUSTEE OPERATIONS

23 For salaries and expenses of the District of Colum-  
24 bia Corrections Trustee, \$134,300,000 for the adminis-  
25 tration and operation of correctional facilities and for the

1 administrative operating costs of the Office of the Correc-  
2 tions Trustee, as authorized by section 11202 of the Na-  
3 tional Capital Revitalization and Self-Government Im-  
4 provement Act of 1997 (Public Law 105–33; 111 Stat.  
5 712) of which \$1,000,000 is to fund an initiative to im-  
6 prove case processing in the District of Columbia crimi-  
7 nal justice system: *Provided*, That notwithstanding any  
8 other provision of law, funds appropriated in this Act for  
9 the District of Columbia Corrections Trustee shall be ap-  
10 portioned quarterly by the Office of Management and  
11 Budget and obligated and expended in the same manner  
12 as funds appropriated for salaries and expenses of other  
13 Federal agencies: *Provided further*, That in addition to  
14 the funds provided under this heading, the District of Co-  
15 lumbia Corrections Trustee may use any remaining inter-  
16 est earned on the Federal payment made to the Trustee  
17 under the District of Columbia Appropriations Act, 1998,  
18 to carry out the activities funded under this heading.

19 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
20 COURTS

21 For salaries and expenses for the District of Colum-  
22 bia Courts, \$99,500,000 to be allocated as follows: for  
23 the District of Columbia Court of Appeals, \$7,709,000;  
24 for the District of Columbia Superior Court,  
25 \$72,399,000; for the District of Columbia Court System,

1 \$16,892,000; and \$2,500,000, to remain available until  
2 September 30, 2002, for capital improvements for Dis-  
3 trict of Columbia courthouse facilities: *Provided*, That  
4 none of the funds in this Act or in any other Act shall  
5 be available for the purchase, installation or operation of  
6 an Integrated Justice Information System until a de-  
7 tailed plan and design has been submitted by the courts  
8 and approved by the Committees on Appropriations of  
9 the House of Representatives and the Senate: *Provided*  
10 *further*, That notwithstanding any other provision of law,  
11 all amounts under this heading shall be apportioned  
12 quarterly by the Office of Management and Budget and  
13 obligated and expended in the same manner as funds ap-  
14 propriated for salaries and expenses of other Federal  
15 agencies, with payroll and financial services to be pro-  
16 vided on a contractual basis with the General Services  
17 Administration (GSA), said services to include the prepa-  
18 ration of monthly financial reports, copies of which shall  
19 be submitted directly by GSA to the President and to the  
20 Committees on Appropriations of the Senate and House  
21 of Representatives, the Committee on Governmental Af-  
22 fairs of the Senate, and the Committee on Government  
23 Reform of the House of Representatives:

3 For payments authorized under section 11-2604  
4 and section 11-2605, D.C. Code (relating to representa-  
5 tion provided under the District of Columbia Criminal  
6 Justice Act), payments for counsel appointed in pro-  
7 ceedings in the Family Division of the Superior Court of  
8 the District of Columbia under chapter 23 of title 16,  
9 D.C. Code, and payments for counsel authorized under  
10 section 21-2060, D.C. Code (relating to representation  
11 provided under the District of Columbia Guardianship,  
12 Protective Proceedings, and Durable Power of Attorney  
13 Act of 1986), \$34,387,000, to remain available until ex-  
14 pended: *Provided*, That the funds provided in this Act  
15 under the heading “Federal Payment to the District of  
16 Columbia Courts” (other than the \$2,500,000 provided  
17 under such heading for capital improvements for District  
18 of Columbia courthouse facilities) may also be used for  
19 payments under this heading: *Provided further*, That in  
20 addition to the funds provided under this heading, the  
21 Joint Committee on Judicial Administration in the Dis-  
22 trict of Columbia shall use funds provided in this Act  
23 under the heading “Federal Payment to the District of  
24 Columbia Courts” (other than the \$2,500,000 provided  
25 under such heading for capital improvements for District

1 of Columbia courthouse facilities), to make payments de-  
2 scribed under this heading for obligations incurred during  
3 any fiscal year: *Provided further*, That such funds shall  
4 be administered by the Joint Committee on Judicial Ad-  
5 ministration in the District of Columbia: *Provided fur-*  
6 *ther*, That notwithstanding any other provision of law,  
7 this appropriation shall be apportioned quarterly by the  
8 Office of Management and Budget and obligated and ex-  
9 pended in the same manner as funds appropriated for ex-  
10 penses of other Federal agencies, with payroll and finan-  
11 cial services to be provided on a contractual basis with  
12 the General Services Administration (GSA), said services  
13 to include the preparation of monthly financial reports,  
14 copies of which shall be submitted directly by GSA to the  
15 President and to the Committees on Appropriations of  
16 the Senate and House of Representatives, the Committee  
17 on Governmental Affairs of the Senate, and the Com-  
18 mittee on Government Reform of the House of Rep-  
19 resentatives: *Provided further*, That the District of Co-  
20 lumbia Courts shall implement the recommendations in  
21 the General Accounting Office Report GAO/AIMD/OGC-  
22 99-226 regarding payments to court-appointed attorneys  
23 and shall report to the Office of Management and Budget  
24 and to the House and Senate Appropriations Committees  
25 quarterly on the status of these reforms.

1       FEDERAL PAYMENT TO THE COURT SERVICES AND  
2                       OFFENDER SUPERVISION  
3               AGENCY FOR THE DISTRICT OF COLUMBIA  
4                       (INCLUDING TRANSFER OF FUNDS)

5       For salaries and expenses of the Court Services and  
6 Offender Supervision Agency for the District of Colum-  
7 bia, as authorized by the National Capital Revitalization  
8 and Self-Government Improvement Act of 1997, (Public  
9 Law 105–33; 111 Stat. 712) \$115,752,000, of which  
10 \$69,871,000 shall be for necessary expenses of Commu-  
11 nity Supervision and Sex Offender Registration, to in-  
12 clude expenses relating to supervision of adults subject to  
13 protection orders or provision of services for or related to  
14 such persons; \$18,778,000 shall be transferred to the  
15 Public Defender Service; and \$27,103,000 shall be avail-  
16 able to the Pretrial Services Agency: *Provided*, That of  
17 the amount provided under this heading, \$22,161,000  
18 shall be used to improve pretrial defendant and post-con-  
19 viction offender supervision, enhance drug testing and  
20 sanctions-based treatment programs and other treatment  
21 services, expand intermediate sanctions and offender re-  
22 entry programs, continue planning and design proposals  
23 for a residential Sanctions Center and improve adminis-  
24 trative infrastructure, including information technology;  
25 and \$836,000 of the \$22,161,000 referred to in this pro-



1 viso is for the Public Defender Service: *Provided further*,  
 2 That notwithstanding any other provision of law, all  
 3 amounts under this heading shall be apportioned quar-  
 4 terly by the Office of Management and Budget and obli-  
 5 gated and expended in the same manner as funds appro-  
 6 priated for salaries and expenses of other Federal agen-  
 7 cies: *Provided further*, That notwithstanding section 446  
 8 of the District of Columbia Home Rule Act or any provi-  
 9 sion of subchapter III of chapter 13 of title 31, United  
 10 States Code, the use of interest earned on the Federal  
 11 payment made to the District of Columbia Offender Su-  
 12 pervision, Defender, and Court Services Agency under  
 13 the District of Columbia Appropriations Act, 1998, by  
 14 the Agency during fiscal years 1998 and 1999 shall not  
 15 constitute a violation of such Act or such subchapter.

16 FEDERAL PAYMENT FOR WASHINGTON INTERFAITH  
 17 NETWORK

18 For a Federal payment to the Washington Interfaith  
 19 Network to reimburse the Network for costs incurred in  
 20 carrying out preconstruction activities at the former Fort  
 21 Dupont Dwellings and Additions, \$1,000,000: *Provided*,  
 22 That such activities may include architectural and engi-  
 23 neering studies, property appraisals, environmental as-  
 24 sessments, grading and excavation, landscaping, paving,  
 25 and the installation of curbs, gutters, sidewalks, sewer

1 lines, and other utilities: *Provided further*, That the Sec-  
2 retary of the Treasury shall make such payment only after  
3 the Network has received matching funds from private  
4 sources (including funds provided through loans) to carry  
5 out such activities in an aggregate amount which is equal  
6 to the amount of such payment (as certified by the Inspec-  
7 tor General of the District of Columbia) and has provided  
8 the Secretary of the Treasury with a request for reim-  
9 bursement which contains documentation certified by the  
10 Inspector General of the District of Columbia showing  
11 that the Network carried out the activities and that the  
12 costs incurred in carrying out the activities were equal to  
13 or less than the amount of the reimbursement requested:  
14 *Provided further*, That none of the funds provided under  
15 this heading may be obligated or expended after December  
16 31, 2001 (without regard to whether the activities involved  
17 were carried out prior to such date).

18 TAX REFORM IN THE DISTRICT

19 For a Federal payment to the Mayor of the District  
20 of Columbia for a study analyzing the District's tax struc-  
21 ture, and the anticipated impact upon the District's econ-  
22 omy and government of recent and potential tax changes,  
23 and of tax simplification, \$100,000, to remain available  
24 until expended. This may include but not be limited to  
25 proposals made by the District's Delegate to the House

6 FEDERAL PAYMENT FOR SIMPLIFIED PERSONNEL  
7 SYSTEM

8 For a Federal payment to the Mayor of the District  
9 of Columbia to study and design a system approved by  
10 the Comptroller General for simplifying the administration  
11 of personnel policies (including pay policies) with respect  
12 to employees of the District government, \$250,000: *Pro-*  
13 *vided*, That the Mayor shall carry out such study and de-  
14 sign through a contractor approved by the Comptroller  
15 General.

16 METRORAIL CONSTRUCTION  
17 (INCLUDING TRANSFER OF FUNDS)

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1 held by DCFRMA on behalf of the District of Columbia  
2 government.

3 FEDERAL PAYMENT FOR NATIONAL MUSEUM OF  
4 AMERICAN MUSIC

5 For a Federal payment to the Federal City Council  
6 for the establishment of a National Museum of American  
7 Music, \$250,000, to remain available until expended:  
8 *Provided*, That such funds shall be used for the costs of  
9 activities necessary to complete the planning phase for  
10 such Museum, including the costs of personnel, design  
11 projects, environmental assessments, and the preparation  
12 of requests for proposals: *Provided further*, That such  
13 funds shall be deposited into a separate account of the  
14 Federal City Council used exclusively for the establish-  
15 ment of such Museum: *Provided further*, That the Sec-  
16 retary of the Treasury shall make such payment only  
17 after the Federal City Council has deposited matching  
18 donated funds from private sources into the account in  
19 an aggregate amount which is equal to 200 percent of  
20 the amount appropriated herein (as certified by the In-  
21 spector General of the District of Columbia.)

22 PRESIDENTIAL INAUGURATION

23 For a payment to the District of Columbia to reim-  
24 burse the District for expenses incurred in connection  
25 with Presidential inauguration activities, \$5,961,000, as

1 authorized by section 737(b) of the District of Columbia  
2 Home Rule Act, approved December 24, 1973 (87 Stat.  
3 824; D.C. Code, sec. 1-1132), which shall be apportioned  
4 by the Chief Financial Officer within the various appro-  
5 priation headings in this Act.

6 DISTRICT OF COLUMBIA FUNDS

7 OPERATING EXPENSES

8 DIVISION OF EXPENSES

9 The following amounts are appropriated for the Dis-  
10 trict of Columbia for the current fiscal year out of the  
11 general fund of the District of Columbia, except as other-  
12 wise specifically provided: *Provided*, That notwithstanding  
13 any other provision of law, except for section 136(a) of  
14 this Act, the total amount appropriated in this Act for  
15 operating expenses for the District of Columbia for fiscal  
16 year 2001 under this heading shall not exceed the lesser  
17 of the sum of the total revenues of the District of Colum-  
18 bia for such fiscal year or \$5,689,276,000 (of which  
19 \$192,804,000 shall be from intra-District funds and  
20 \$3,245,623,000 shall be from local funds): *Provided fur-*  
21 *ther*, That the Chief Financial Officer of the District of  
22 Columbia and the District of Columbia Financial Respon-  
23 sibility and Management Assistance Authority shall take  
24 such steps as are necessary to assure that the District of  
25 Columbia meets these requirements, including the appor-

tioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2001, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY  
AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (109 Stat. 97; Public Law 104–8), \$3,140,000 from local funds: *Provided*, That none of the funds contained in this Act may be used to pay any compensation of the Executive Director or General Counsel of the Authority at a rate in excess of the maximum rate of compensation which may be paid to such individual during fiscal year 2001 under section 102 of such Act, as determined by the Comptroller General (as described in GAO letter report B–279095.2).

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$194,621,000 (including \$161,022,000 from local funds, \$20,424,000 from Federal funds, and \$13,175,000 from other funds):

1 *Provided*, That not to exceed \$2,500 for the Mayor,  
2 \$2,500 for the Chairman of the Council of the District  
3 of Columbia, and \$2,500 for the City Administrator shall  
4 be available from this appropriation for official purposes:  
5 *Provided further*, That any program fees collected from  
6 the issuance of debt shall be available for the payment of  
7 expenses of the debt management program of the District  
8 of Columbia: *Provided further*, That no revenues from  
9 Federal sources shall be used to support the operations  
10 or activities of the Statehood Commission and Statehood  
11 Compact Commission: *Provided further*, That the District  
12 of Columbia shall identify the sources of funding for Ad-  
13 mission to Statehood from its own locally-generated reve-  
14 nues: *Provided further*, That all employees permanently  
15 assigned to work in the Office of the Mayor shall be paid  
16 from funds allocated to the Office of the Mayor: *Provided*  
17 *further*, That notwithstanding any other provision of law,  
18 or Mayor's Order 86-45, issued March 18, 1986, the Of-  
19 fice of the Chief Technology Officer's delegated small  
20 purchase authority shall be \$500,000: *Provided further*,  
21 That the District of Columbia government may not re-  
22 quire the Office of the Chief Technology Officer to sub-  
23 mit to any other procurement review process, or to obtain  
24 the approval of or be restricted in any manner by any of-  
25 ficial or employee of the District of Columbia govern-

1 ment, for purchases that do not exceed \$500,000: *Pro-*  
 2 *vided further*, That \$303,000 and no fewer than 5 FTEs  
 3 shall be available exclusively to support the Labor-Man-  
 4 agement Partnership Council: *Provided further*, That no  
 5 funds except those already encumbered shall be available  
 6 for the Maximus, Inc., revenue recovery services contract  
 7 (Contract GF 98104) until such time as the contract is  
 8 renegotiated to require Maximus, Inc., to recover max-  
 9 imum revenue first for Medicaid reimbursable special  
 10 education transportation costs, second for Medicaid reim-  
 11 bursable special education residential placement costs,  
 12 and third for the Medicaid reimbursable costs of Mental  
 13 Retardation and Developmental Disabilities Administra-  
 14 tion clients.

#### 15 ECONOMIC DEVELOPMENT AND REGULATION

16 Economic development and regulation, \$205,638,000  
 17 (including \$53,562,000 from local funds, \$92,378,000  
 18 from Federal funds, and \$59,698,000 from other funds),  
 19 of which \$15,000,000 collected by the District of Colum-  
 20 bia in the form of BID tax revenue shall be paid to the  
 21 respective BIDs pursuant to the Business Improvement  
 22 Districts Act of 1996 (D.C. Law 11–134; D.C. Code, sec.  
 23 1–2271 et seq.), and the Business Improvement Districts  
 24 Amendment Act of 1997 (D.C. Law 12–26): *Provided*,  
 25 That such funds are available for acquiring services pro-



1 vided by the General Services Administration: *Provided*  
2 *further*, That Business Improvement Districts shall be ex-  
3 empt from taxes levied by the District of Columbia.

#### 4 PUBLIC SAFETY AND JUSTICE

5 Public safety and justice, including purchase or lease  
6 of 135 passenger carrying vehicles for replacement only,  
7 including 130 for police-type use and five for fire-type  
8 use, without regard to the general purchase price limita-  
9 tion for the current fiscal year, and such sums as may  
10 be necessary for making refunds and for the payment of  
11 judgments that have been entered against the District of  
12 Columbia government \$762,346,000 (including  
13 \$591,365,000 from local funds, \$24,950,000 from Fed-  
14 eral funds, and \$146,031,000 from other funds): *Pro-*  
15 *vided further*, That the Metropolitan Police Department  
16 is authorized to replace not to exceed 25 passenger car-  
17 rying vehicles and the Department of Fire and Emer-  
18 gency Medical Services of the District of Columbia is au-  
19 thorized to replace not to exceed five passenger carrying  
20 vehicles annually whenever the cost of repair to any dam-  
21 aged vehicle exceeds three fourths of the cost of the re-  
22 placement: *Provided further*, That not to exceed \$500,000  
23 shall be available from this appropriation for the Chief of  
24 Police for the prevention and detection of crime: *Provided*  
25 *further*, That notwithstanding any other provision of law,

1 or Mayor's Order 86-45, issued March 18, 1986, the  
2 Metropolitan Police Department's delegated small pur-  
3 chase authority shall be \$500,000: *Provided further*, That  
4 the District of Columbia government may not require the  
5 Metropolitan Police Department to submit to any other  
6 procurement review process, or to obtain the approval of  
7 or be restricted in any manner by any official or em-  
8 ployee of the District of Columbia government, for pur-  
9 chases that do not exceed \$500,000: *Provided further*,  
10 That the Mayor shall reimburse the District of Columbia  
11 National Guard for expenses incurred in connection with  
12 services that are performed in emergencies by the Na-  
13 tional Guard in a militia status and are requested by the  
14 Mayor, in amounts that shall be jointly determined and  
15 certified as due and payable for these services by the  
16 Mayor and the Commanding General of the District of  
17 Columbia National Guard: *Provided further*, That such  
18 sums as may be necessary for reimbursement to the Dis-  
19 trict of Columbia National Guard under the preceding  
20 proviso shall be available from this appropriation, and the  
21 availability of the sums shall be deemed as constituting  
22 payment in advance for emergency services involved: *Pro-*  
23 *vided further*, That the Metropolitan Police Department  
24 is authorized to maintain 3,800 sworn officers, with leave  
25 for a 50 officer attrition: *Provided further*, That

1 \$100,000 shall be available for inmates released on med-  
2 ical and geriatric parole: *Provided further*, That com-  
3 mencing on December 31, 2000, the Metropolitan Police  
4 Department shall provide to the Committees on Appro-  
5 priations of the Senate and House of Representatives, the  
6 Committee on Governmental Affairs of the Senate, and  
7 the Committee on Government Reform of the House of  
8 Representatives, quarterly reports on the status of crime  
9 reduction in each of the 83 police service areas estab-  
10 lished throughout the District of Columbia.

11 PUBLIC EDUCATION SYSTEM

12 Public education system, including the development  
13 of national defense education programs, \$995,418,000  
14 (including \$821,367,000 from local funds, \$147,643,000  
15 from Federal funds, and \$26,408,000 from other funds),  
16 to be allocated as follows: \$769,443,000 (including  
17 \$628,809,000 from local funds, \$133,490,000 from Fed-  
18 eral funds, and \$7,144,000 from other funds), for the  
19 public schools of the District of Columbia; \$200,000 from  
20 local funds for the District of Columbia Teachers' Retire-  
21 ment Fund; \$1,679,000 from local funds for the State  
22 Education Office, \$14,000,000 from local funds, pre-  
23 viously appropriated in this Act as a Federal payment,  
24 for resident tuition support at public and private institu-  
25 tions of higher learning for eligible District of Columbia

1 residents; \$105,000,000 from local funds for public char-  
2 ter schools: *Provided*, That there shall be quarterly dis-  
3 bursement of funds to the D.C. public charter schools,  
4 with the first payment to occur within 15 days of the be-  
5 ginning of each fiscal year: *Provided further*, That the  
6 D.C. public charter schools will report enrollment on a  
7 quarterly basis: *Provided further*, That the quarterly pay-  
8 ment of October 15, 2000, shall be fifty (50) percent of  
9 each public charter school's annual entitlement based on  
10 its unaudited October 5 enrollment count: *Provided fur-*  
11 *ther*, That if the entirety of this allocation has not been  
12 provided as payments to any public charter schools cur-  
13 rently in operation through the per pupil funding for-  
14 mula, the funds shall be available for public education in  
15 accordance with the School Reform Act of 1995 (D.C.  
16 Code, sec. 31-2853.43(A)(2)(D); Public Law 104-134,  
17 as amended): *Provided further*, That the Mayor of the  
18 District of Columbia shall convene a task force to rec-  
19 ommend changes, which shall be released by December  
20 31, 2000, to the School Reform Act of 1995, for the pur-  
21 pose of instituting a funding mechanism which will ac-  
22 count for the projected growth of charter schools: *Pro-*  
23 *vided further*, That \$480,000 of this amount shall be  
24 available to the District of Columbia Public Charter  
25 School Board for administrative costs: *Provided further*,

1 That \$76,433,000 (including \$44,691,000 from local  
2 funds, \$13,199,000 from Federal funds, and  
3 \$18,543,000 from other funds) shall be available for the  
4 University of the District of Columbia: *Provided further,*  
5 That \$200,000 is allocated for the East of the River  
6 Campus Assessment Study, \$1,000,000 for the Excel In-  
7 stitute Adult Education Program to be used by the Insti-  
8 tute for construction and to acquire construction services  
9 provided by the General Services Administration on a re-  
10 imburseable basis, \$500,000 for the Adult Education  
11 State Plan, \$650,000 for The Saturday Academy Pre-  
12 College Program, and \$481,000 for the Strengthening of  
13 Academic Programs; and \$26,459,000 (including  
14 \$25,208,000 from local funds, \$550,000 from Federal  
15 funds and \$701,000 other funds) for the Public Library:  
16 *Provided further,* That the \$1,020,000 enhancement shall  
17 be allocated such that; \$500,000 is used for facilities im-  
18 provements for 8 of the 26 library branches, \$235,000  
19 for 13 FTEs for the continuation of the Homework Help-  
20 ers Program, \$166,000 for 3 FTEs in the expansion of  
21 the Reach Out And Roar (ROAR) service to license day  
22 care homes, and \$119,000 for 3 FTEs to expand literacy  
23 support into branch libraries: *Provided further,* That  
24 \$2,204,000 (including \$1,780,000 from local funds,  
25 \$404,000 from Federal funds and \$20,000 from other

1 funds) shall be available for the Commission on the Arts  
2 and Humanities: *Provided further*, That the public  
3 schools of the District of Columbia are authorized to ac-  
4 cept not to exceed 31 motor vehicles for exclusive use in  
5 the driver education program: *Provided further*, That not  
6 to exceed \$2,500 for the Superintendent of Schools,  
7 \$2,500 for the President of the University of the District  
8 of Columbia, and \$2,000 for the Public Librarian shall  
9 be available from this appropriation for official purposes:  
10 *Provided further*, That none of the funds contained in  
11 this Act may be made available to pay the salaries of any  
12 District of Columbia Public School teacher, principal, ad-  
13 ministrator, official, or employee who knowingly provides  
14 false enrollment or attendance information under article  
15 II, section 5 of the Act entitled “An Act to provide for  
16 compulsory school attendance, for the taking of a school  
17 census in the District of Columbia, and for other pur-  
18 poses”, approved February 4, 1925 (D.C. Code, sec. 31–  
19 401 et seq.): *Provided further*, That this appropriation  
20 shall not be available to subsidize the education of any  
21 nonresident of the District of Columbia at any District  
22 of Columbia public elementary and secondary school dur-  
23 ing fiscal year 2001 unless the nonresident pays tuition  
24 to the District of Columbia at a rate that covers 100 per-  
25 cent of the costs incurred by the District of Columbia

1 which are attributable to the education of the nonresident  
2 (as established by the Superintendent of the District of  
3 Columbia Public Schools): *Provided further*, That this ap-  
4 propriation shall not be available to subsidize the edu-  
5 cation of nonresidents of the District of Columbia at the  
6 University of the District of Columbia, unless the Board  
7 of Trustees of the University of the District of Columbia  
8 adopts, for the fiscal year ending September 30, 2001, a  
9 tuition rate schedule that will establish the tuition rate  
10 for nonresident students at a level no lower than the non-  
11 resident tuition rate charged at comparable public insti-  
12 tutions of higher education in the metropolitan area: *Pro-*  
13 *vided further*, That \$2,200,000 is allocated to the Tem-  
14 porary Weighted Student Formula to fund 344 additional  
15 slots for pre-K students: *Provided further*, That \$50,000  
16 is allocated to fund a conference on learning support for  
17 children ages 3–4 in September 2000 hosted jointly by  
18 the District of Columbia Public Schools and District of  
19 Columbia public charter schools: *Provided further*, That  
20 no local funds in this Act shall be used to administer a  
21 system wide standardized test more than once in FY  
22 2001: *Provided further*, That no less than \$389,219,000  
23 shall be expended on local schools through the Weighted  
24 Student Formula: *Provided further*, That the District of  
25 Columbia Public Schools may spend \$500,000 to engage

1 in a Schools Without Violence program based on a model  
2 developed by the University of North Carolina, located in  
3 Greensboro, North Carolina: *Provided further*, That sec-  
4 tion 441 of the District of Columbia Home Rule Act, ap-  
5 proved December 24, 1973 (87 Stat. 798; D.C. Code,  
6 sec. 47–101), is amended as follows:

7 (a) The third sentence is amended to read as  
8 follows:

9 “However, the fiscal year for the Armory Board  
10 shall begin on the first day of January and shall end  
11 on the thirty-first day of December of each calendar  
12 year, and, beginning the first day of July 2001, the  
13 fiscal year for the District of Columbia Public  
14 Schools and the District of Columbia Public Charter  
15 Schools shall begin on the first day of July and end  
16 on the thirtieth day of June of each calendar year.”.

17 (b) One new sentence is added at the end to  
18 read as follows: “The District of Columbia Public  
19 Schools shall take appropriate action to ensure that  
20 its financial books are closed by June 30, 2003.”.

#### 21 HUMAN SUPPORT SERVICES

22 Human support services, \$1,532,204,000 (including  
23 \$633,897,000 from local funds, \$881,589,000 from Fed-  
24 eral funds, and \$16,718,000 from other funds): *Provided*,  
25 That \$25,836,000 of this appropriation, to remain avail-



1 able until expended, shall be available solely for District  
2 of Columbia employees' disability compensation: *Provided*  
3 *further*, That the District of Columbia shall not provide  
4 free government services such as water, sewer, solid  
5 waste disposal or collection, utilities, maintenance, re-  
6 pairs, or similar services to any legally constituted private  
7 nonprofit organization, as defined in section 411(5) of  
8 the Stewart B. McKinney Homeless Assistance Act (101  
9 Stat. 485; Public Law 100-77; 42 U.S.C. 11371), pro-  
10 viding emergency shelter services in the District, if the  
11 District would not be qualified to receive reimbursement  
12 pursuant to such Act (101 Stat. 485; Public Law 100-  
13 77; 42 U.S.C. 11301 et seq.): *Provided further*, That  
14 \$1,250,000 shall be paid to the Doe Fund for the oper-  
15 ation of its Ready, Willing, and Able Program in the Dis-  
16 trict of Columbia as follows: \$250,000 to cover debt owed  
17 by the District of Columbia government for services ren-  
18 dered shall be paid to the Doe Fund within 15 days of  
19 the enactment of this Act; and \$1,000,000 shall be paid  
20 in equal monthly installments by the 15th day of each  
21 month: *Provided further*, That \$400,000 shall be available  
22 for the administrative costs associated with implementa-  
23 tion of the Drug Treatment Choice Program established  
24 pursuant to section 4 of the Choice in Drug Treatment  
25 Act of 2000, signed by the Mayor on April 20, 2000

1 (D.C. Act 13–329): *Provided further*, That \$7,000,000  
2 shall be available for deposit in the Addiction Recovery  
3 Fund established pursuant to section 5 of the Choice in  
4 Drug Treatment Act of 2000, signed by the Mayor on  
5 April 20, 2000 (D.C. Act 13–329).

6 PUBLIC WORKS

7 Public works, including rental of one passenger car-  
8 rying vehicle for use by the Mayor and three passenger  
9 carrying vehicles for use by the Council of the District of  
10 Columbia and leasing of passenger-carrying vehicles,  
11 \$278,242,000 (including \$265,078,000 from local funds,  
12 \$3,328,000 from Federal funds, and \$9,836,000 from  
13 other funds): *Provided further*, That this appropriation  
14 shall not be available for collecting ashes or miscellaneous  
15 refuse from hotels and places of business: *Provided fur-*  
16 *ther*, That \$100,000 shall be available for a commercial  
17 sector recycling initiative: *Provided further*, That  
18 \$250,000 shall be available to initiate a recycling edu-  
19 cation campaign: *Provided further*, That \$10,000 shall be  
20 available for community clean-up kits: *Provided further*,  
21 That \$190,000 shall be available to restore a 3.5 percent  
22 vacancy rate in Parking Services: *Provided further*, That  
23 \$170,000 shall be available to plant 500 trees: *Provided*  
24 *further*, That \$118,000 shall be available for two water  
25 trucks: *Provided further*, That \$150,000 shall be available

1 for contract monitors and parking analysts within Park-  
 2 ing Services: *Provided further*, That \$1,409,000 shall be  
 3 available for a neighborhood cleanup initiative: *Provided*  
 4 *further*, That \$1,000,000 shall be available for tree main-  
 5 tenance: *Provided further*, That \$600,000 shall be avail-  
 6 able for an anti-graffiti program: *Provided further*, That  
 7 \$226,000 shall be available for a hazardous waste pro-  
 8 gram: *Provided further*, That \$1,260,000 shall be avail-  
 9 able for parking control aides: *Provided further*, That  
 10 \$400,000 shall be available for the Department of Motor  
 11 Vehicles to hire additional ticket adjudicators, conduct  
 12 additional hearings, and reduce the waiting time for  
 13 hearings.

#### 14 RECEIVERSHIP PROGRAMS

15 For all agencies of the District of Columbia govern-  
 16 ment under court ordered receivership, \$389,528,000 (in-  
 17 cluding \$234,913,000 from local funds, \$135,555,000  
 18 from Federal funds, and \$19,060,000 from other funds).

#### 19 RESERVE

20 For replacement of funds expended, if any, during  
 21 fiscal year 2000 from the Reserve established by section  
 22 202(i) of the District of Columbia Financial Responsi-  
 23 bility and Management Assistance Act of 1995, Public  
 24 Law 104–8, \$150,000,000: *Provided*, That none of these  
 25 funds shall be obligated or expended under this heading

1 until (1) the reductions from “Operational Improvement  
2 Savings”, “Management Reform Savings”, and “Cafe-  
3 teria Plan” have been achieved and the achievement cer-  
4 tified by the District of Columbia Inspector General; (2)  
5 the Chief Financial Officer certifies that the reserve as-  
6 sets are not required to replace funds expended in fiscal  
7 year 2000 from the Reserve established by section 202(i)  
8 of the District of Columbia Financial Responsibility and  
9 Management Assistance Act of 1995, Public Law 104–8;  
10 and (3) the District of Columbia government enters into  
11 leases provided for under the heading “Federal Payment  
12 for Waterfront Improvements” in Public Law 105–277,  
13 approved October 21, 1998 (112 Stat. 2681–124), as  
14 amended by section 164 of Public Law 106–113, ap-  
15 proved November 29, 1999 (113 Stat. 1529): *Provided*  
16 *further*, That the unexpended portion of the fiscal year  
17 2000 reserve that is carried over into fiscal year 2001  
18 will free up local funds in the fiscal year 2001 Reserve  
19 that can be used to fund selected programs upon certifi-  
20 cation by the Chief Financial Officer of the District of  
21 Columbia that: (1) the Mayor will achieve operational im-  
22 provement savings and management reform productivity  
23 savings in the fiscal year 2001 Budget and Financial  
24 Plan, (2) the collection of additional revenues within the  
25 fiscal year 2001 Budget and Financial Plan will be

1 achieved; and (3) agency expenditures are monitored and  
2 fiscal challenges are addressed to the satisfaction of the  
3 Chief Financial Office during fiscal year 2001. The pro-  
4 grams that will be funded following certification by the  
5 Chief Financial Officer are as follows: GOVERNMENTAL  
6 DIRECTION AND SUPPORT, \$4,163,000 (including  
7 \$621,000 for the Office of the Mayor; \$1,042,000 for  
8 Human Resource Development; \$2,500,000 for the Office  
9 of Property Management): ECONOMIC DEVELOPMENT  
10 AND REGULATION, \$3,496,000 (including \$3,296,000 for  
11 the Department of Housing and Community Develop-  
12 ment; \$200,000 for the Department of Employment  
13 Services): PUBLIC SAFETY AND JUSTICE, \$6,483,000 (in-  
14 cluding \$200,000 for the Metropolitan Police Depart-  
15 ment, \$1,293,000 for the Fire and Emergency Medical  
16 Services Department, \$4,890,000 for Settlements and  
17 Judgments, \$100,000 for the Citizen Complaint Review  
18 Board): PUBLIC EDUCATION SYSTEM, \$15,099,000 (in-  
19 cluding \$12,079,000 for Public Schools, \$2,500,000 for  
20 the University of the District of Columbia, \$400,000 for  
21 the Public Library, \$120,000 for the Commission on the  
22 Arts and Humanities): HUMAN SUPPORT SERVICES,  
23 \$17,830,000 (including \$4,245,000 for the Department  
24 of Health, \$1,511,000 for the Department of Recreation  
25 and Parks, \$574,000 for the Office on Aging, \$1,500,000

1 for the Office on Latino Affairs, \$10,000,000 for Chil-  
2 dren and Youth Investment Fund): PUBLIC WORKS,  
3 \$4,050,000 (including \$1,500,000 for the Department of  
4 Public Works, \$1,000,000 for the Department of Motor  
5 Vehicles, \$1,550,000 for the Taxicab Commission): RE-  
6 CEIVERSHIP PROGRAMS, \$19,300,000 (including  
7 \$6,300,000 for Child and Family Services, \$13,000,000  
8 for the Commission on Mental Health Services): and  
9 CAFETERIA PLAN SAVINGS, \$5,000,000: *Provided fur-*  
10 *ther*, That the freed-up appropriated funds in fiscal year  
11 2001 from the reserve rollover shall be used to provide  
12 funding in the following order: (1) the first \$32,000,000  
13 shall be used to provide in the following order,  
14 \$6,300,000 to the LaShawn Receivership, \$13,000,000 to  
15 the Commission on Mental Health, \$12,079,000 to the  
16 District of Columbia Public Schools, and \$621,000 to the  
17 Office of the Mayor, if the Chief Financial Officer cer-  
18 tifies that the first \$32,000,000 is not required to replace  
19 funds expended in fiscal year 2000 from the Reserve es-  
20 tablished by section 202(i) of the District of Columbia  
21 Financial Responsibility and Management Assistance Act  
22 of 1995, Public Law 104–8; (2) the next \$37,189,000  
23 shall be used to provide \$37,189,000 to Management  
24 Savings to the extent, if any, the Chief Financial Officer  
25 determines the Management Savings is not achieving the

1 required savings, and the balance, if any, shall be pro-  
2 vided in the following order: \$10,000,000 to the Children  
3 Investment Trust, \$1,511,000 to the Department of  
4 Parks and Recreation, \$1,293,000 to the Department of  
5 Fire and Emergency Medical Services, \$120,000 to the  
6 Commission on the Arts and Humanities, \$400,000 to  
7 the District of Columbia Public Library, \$574,000 to the  
8 Office on Aging, \$3,296,000 to the Department of Hous-  
9 ing and Community Development, \$200,000 to the De-  
10 partment of Employment Services, \$2,500,000 to the  
11 University of the District of Columbia, \$1,500,000 to the  
12 Department of Public Works, \$1,000,000 to the Depart-  
13 ment of Motor Vehicles, \$4,245,000 to the Department  
14 of Health, \$1,500,000 to the Commission on Latino Af-  
15 fairs, \$1,550,000 to the Taxicab Commission, \$2,500,000  
16 to the Office of Property Management, and \$5,000,000  
17 for the savings associated with the implementation of the  
18 Cafeteria Plan, if the Chief Financial Officer certifies  
19 that the \$37,189,000 is not required to replace funds ex-  
20 pended in fiscal year 2000 from the Reserve established  
21 by section 202(i) of the District of Columbia Financial  
22 Responsibility and Management Assistance Act of 1995,  
23 Public Law 104–8, in fiscal year 2000, and that all the  
24 savings are being achieved from the Management Sav-  
25 ings; (3) the next \$10,000,000 shall be used to provide

1 \$6,232,000 to Operational Improvement to the extent, if  
2 any, the Chief Financial Officer determines the Oper-  
3 ational Improvement is not achieving the required sav-  
4 ings, and the balance, if any, shall be provided in the fol-  
5 lowing order: \$100,000 to the Civilian Complaint Review  
6 Board, \$200,000 to the Metropolitan Police Department  
7 for the Emergency Response Team, \$1,042,000 to be  
8 used for Training, and \$4,890,000 to the Settlement and  
9 Judgments Funds, if the Chief Financial Officer certifies  
10 that the \$6,232,000 is not required to replace funds ex-  
11 pended in fiscal year 2000 from the Reserve established  
12 by section 202(i) of the District of Columbia Financial  
13 Responsibility and Management Assistance Act of 1995,  
14 Public Law 104–8, in fiscal year 2000 and that all the  
15 savings are being achieved from the Operational Improve-  
16 ment Savings; and (4) the balance shall be used for Pay-  
17 As-You-Go Capital Funds in lieu of capital financing if  
18 the Chief Financial Officer certifies that the balance is  
19 not required to replace funds expended in fiscal year  
20 2000 from the Reserve established by section 202(i) of  
21 the District of Columbia Financial Responsibility and  
22 Management Assistance Act of 1995, Public Law 104–8:  
23 *Provided further*, That section 202(j) of the District of  
24 Columbia Financial Responsibility and Management As-



1 sistance Act of 1995, approved April 17, 1995 (109 Stat.  
2 109; D.C. Code, sec. 47–392.2(j)), is amended as follows:

3           REPAYMENT OF LOANS AND INTEREST

4           For payment of principal, interest and certain fees  
5 directly resulting from borrowing by the District of Co-  
6 lumbia to fund District of Columbia capital projects as  
7 authorized by sections 462, 475, and 490 of the District  
8 of Columbia Home Rule Act, approved December 24,  
9 1973, \$243,238,000 from local funds: *Provided further*,  
10 That for equipment leases, the Mayor may finance  
11 \$19,232,000 of equipment cost, plus cost of issuance not  
12 to exceed 2 percent of the par amount being financed on  
13 a lease purchase basis with a maturity not to exceed 5  
14 years: *Provided further*, That \$2,000,000 is allocated to  
15 the Metropolitan Police Department, \$4,300,000 for the  
16 Fire and Emergency Medical Services Department,  
17 \$1,622,000 for the Public Library, \$2,010,000 for the  
18 Department of Parks and Recreation, \$7,500,000 for the  
19 Department of Public Works and \$1,800,000 for the  
20 Public Benefit Corporation.

21           REPAYMENT OF GENERAL FUND RECOVERY DEBT

22           For the purpose of eliminating the \$331,589,000  
23 general fund accumulated deficit as of September 30,  
24 1990, \$39,300,000 from local funds, as authorized by

1 section 461(a) of the District of Columbia Home Rule  
2 Act, (105 Stat. 540; D.C. Code, sec. 47-321(a)(1)).

3 PAYMENT OF INTEREST ON SHORT-TERM BORROWING

4 For payment of interest on short-term borrowing,  
5 \$1,140,000 from local funds.

6 PRESIDENTIAL INAUGURATION

7 For reimbursement for necessary expenses incurred  
8 in connection with Presidential inauguration activities as  
9 authorized by section 737(b) of the District of Columbia  
10 Home Rule Act, Public Law 93-198, as amended, ap-  
11 proved December 24, 1973 (87 Stat. 824, and D.C.  
12 Code, sec. 1-1803), \$5,961,000, which shall be appor-  
13 tioned by the Chief Financial Officer within the various  
14 appropriation headings in this Act.

15 CERTIFICATES OF PARTICIPATION

16 For lease payments in accordance with the Certifi-  
17 cates of Participation involving the land site underlying  
18 the building located at One Judiciary Square, \$7,950,000  
19 from local funds.

20 WILSON BUILDING

21 For expenses associated with the John A. Wilson  
22 Building, \$8,409,000.

23 OPTICAL AND DENTAL INSURANCE PAYMENTS

24 For optical and dental insurance payments,  
25 \$2,675,000 from local funds.

1                   MANAGEMENT SUPERVISORY SERVICE

2           For management supervisory service, \$13,200,000  
3 from local funds, to be transferred by the Mayor of the  
4 District of Columbia among the various appropriation  
5 headings in this Act for which employees are properly  
6 payable.

7           TOBACCO SETTLEMENT TRUST FUND TRANSFER

8                   PAYMENT

9           There is transferred \$61,406,000 to the Tobacco  
10 Settlement Trust Fund established pursuant to section  
11 2302 of the Tobacco Settlement Trust Fund Establish-  
12 ment Act of 1999, effective October 20, 1999 (D.C. Law  
13 13–38; to be codified at D.C. Code, sec. 6–135), to be  
14 spent pursuant to local law.

15          OPERATIONAL IMPROVEMENTS SAVINGS (INCLUDING  
16                   MANAGED COMPETITION)

17          The Mayor and the Council in consultation with the  
18 Chief Financial Officer and the District of Columbia Fi-  
19 nancial Responsibility and Management Assistance Au-  
20 thority, shall make reductions of \$10,000,000 for oper-  
21 ational improvements savings in local funds to one or  
22 more of the appropriation headings in this Act.

23                   MANAGEMENT REFORM SAVINGS

24          The Mayor and the Council in consultation with the  
25 Chief Financial Officer and the District of Columbia Fi-

1 nancial Responsibility and Management Assistance Au-  
2 thority, shall make reductions of \$37,000,000 for man-  
3 agement reform savings in local funds to one or more of  
4 the appropriation headings in this Act.

5 CAFETERIA PLAN SAVINGS

6 For the implementation of a Cafeteria Plan pursu-  
7 ant to Federal law, a reduction of \$5,000,000 in local  
8 funds.

9 ENTERPRISE AND OTHER FUNDS

10 WATER AND SEWER AUTHORITY AND THE WASHINGTON  
11 AQUEDUCT

12 For operation of the Water and Sewer Authority  
13 and the Washington Aqueduct, \$275,705,000 from other  
14 funds (including \$230,614,000 for the Water and Sewer  
15 Authority and \$45,091,000 for the Washington Aque-  
16 duct) of which \$41,503,000 shall be apportioned and  
17 payable to the District's debt service fund for repayment  
18 of loans and interest incurred for capital improvement  
19 projects.

20 For construction projects, \$140,725,000, as author-  
21 ized by the Act entitled "An Act authorizing the laying  
22 of watermains and service sewers in the District of Co-  
23 lumbia, the levying of assessments therefor, and for other  
24 purposes" (33 Stat. 244; Public Law 58-140; D.C. Code,  
25 sec. 43-1512 et seq.): *Provided*, That the requirements

1 and restrictions that are applicable to general fund cap-  
2 ital improvements projects and set forth in this Act  
3 under the Capital Outlay appropriation title shall apply  
4 to projects approved under this appropriation title.

5 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

6 For the Lottery and Charitable Games Enterprise  
7 Fund, established by the District of Columbia Appropria-  
8 tion Act for the fiscal year ending September 30, 1982  
9 (95 Stat. 1174, 1175; Public Law 97–91), for the pur-  
10 pose of implementing the Law to Legalize Lotteries,  
11 Daily Numbers Games, and Bingo and Raffles for Chari-  
12 table Purposes in the District of Columbia (D.C. Law 3  
13 172; D.C. Code, sec. 2–2501 et seq. and sec. 22–1516 et  
14 seq.), \$223,200,000: *Provided*, That the District of Co-  
15 lumbia shall identify the source of funding for this appro-  
16 priation title from the District’s own locally generated  
17 revenues: *Provided further*, That no revenues from Fed-  
18 eral sources shall be used to support the operations or ac-  
19 tivities of the Lottery and Charitable Games Control  
20 Board.

21 SPORTS AND ENTERTAINMENT COMMISSION

22 For the Sports and Entertainment Commission,  
23 \$10,968,000 from other funds: *Provided*, That the Mayor  
24 shall submit a budget for the Armory Board for the  
25 forthcoming fiscal year as required by section 442(b) of

1 the District of Columbia Home Rule Act (87 Stat. 824;  
 2 Public Law 93–198; D.C. Code, sec. 47–301(b)).

3 DISTRICT OF COLUMBIA HEALTH AND HOSPITALS

4 PUBLIC BENEFIT CORPORATION

5 For the District of Columbia Health and Hospitals  
 6 Public Benefit Corporation, established by D.C. Law 11–  
 7 212, D.C. Code, sec. 32–262.2, \$123,548,000 of which  
 8 \$45,313,000 shall be derived by transfer from the general  
 9 fund, and \$78,235,000 from other funds: *Provided*, That  
 10 no appropriated amounts and no amounts from or guar-  
 11 anteed by the District of Columbia government (including  
 12 the District of Columbia Financial Responsibility and  
 13 Management Assistance Authority) may be made avail-  
 14 able to the Corporation (through reprogramming, trans-  
 15 fers, loans, or any other mechanism) which are not other-  
 16 wise provided for under this heading.

17 DISTRICT OF COLUMBIA RETIREMENT BOARD

18 For the District of Columbia Retirement Board, es-  
 19 tablished by section 121 of the District of Columbia Re-  
 20 tirement Reform Act of 1979 (93 Stat. 866; D.C. Code,  
 21 sec. 1–711), \$11,414,000 from the earnings of the appli-  
 22 cable retirement funds to pay legal, management, invest-  
 23 ment, and other fees and administrative expenses of the  
 24 District of Columbia Retirement Board: *Provided*, That  
 25 the District of Columbia Retirement Board shall provide

1 to the Congress and to the Council of the District of Co-  
 2 lumbia a quarterly report of the allocations of charges by  
 3 fund and of expenditures of all funds: *Provided further*,  
 4 That the District of Columbia Retirement Board shall  
 5 provide the Mayor, for transmittal to the Council of the  
 6 District of Columbia, an itemized accounting of the  
 7 planned use of appropriated funds in time for each an-  
 8 nual budget submission and the actual use of such funds  
 9 in time for each annual audited financial report.

#### 10 CORRECTIONAL INDUSTRIES FUND

11 For the Correctional Industries Fund, established by  
 12 the District of Columbia Correctional Industries Estab-  
 13 lishment Act (78 Stat. 1000; Public Law 88-622),  
 14 \$1,808,000 from other funds.

#### 15 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

16 For the Washington Convention Center Enterprise  
 17 Fund, \$52,726,000 from other funds.

#### 18 CAPITAL OUTLAY

#### 19 (INCLUDING RESCISSIONS)

20 For construction projects, an increase of  
 21 \$1,077,282,000 of which \$806,787,000 is from local  
 22 funds, \$66,446,000 is from highway trust funds and  
 23 \$204,049,000 is from Federal funds, and a rescission of  
 24 \$55,208,000 from local funds appropriated under this  
 25 heading in prior fiscal years, for a net amount of

1 \$1,022,074,000 to remain available until expended: *Pro-*  
2 *vided*, That funds for use of each capital project imple-  
3 menting agency shall be managed and controlled in ac-  
4 cordance with all procedures and limitations established  
5 under the Financial Management System: *Provided fur-*  
6 *ther*, That all funds provided by this appropriation title  
7 shall be available only for the specific projects and pur-  
8 poses intended: *Provided further*, That notwithstanding  
9 the foregoing, all authorizations for capital outlay  
10 projects, except those projects covered by the first sen-  
11 tence of section 23(a) of the Federal Aid Highway Act  
12 of 1968 (82 Stat. 827; Public Law 90–495; D.C. Code,  
13 sec. 7–134, note), for which funds are provided by this  
14 appropriation title, shall expire on September 30, 2002,  
15 except authorizations for projects as to which funds have  
16 been obligated in whole or in part prior to September 30,  
17 2002: *Provided further*, That upon expiration of any such  
18 project authorization, the funds provided herein for the  
19 project shall lapse.

20 GENERAL PROVISIONS

21 SEC. 101. The expenditure of any appropriation  
22 under this Act for any consulting service through pro-  
23 curement contract, pursuant to 5 U.S.C. 3109, shall be  
24 limited to those contracts where such expenditures are a  
25 matter of public record and available for public inspec-



1 tion, except where otherwise provided under existing law,  
2 or under existing Executive order issued pursuant to ex-  
3 isting law.

4 SEC. 102. Except as otherwise provided in this Act,  
5 all vouchers covering expenditures of appropriations con-  
6 tained in this Act shall be audited before payment by the  
7 designated certifying official, and the vouchers as ap-  
8 proved shall be paid by checks issued by the designated  
9 disbursing official.

10 SEC. 103. Whenever in this Act, an amount is speci-  
11 fied within an appropriation for particular purposes or  
12 objects of expenditure, such amount, unless otherwise  
13 specified, shall be considered as the maximum amount  
14 that may be expended for said purpose or object rather  
15 than an amount set apart exclusively therefor.

16 SEC. 104. Appropriations in this Act shall be avail-  
17 able, when authorized by the Mayor, for allowances for  
18 privately owned automobiles and motorcycles used for the  
19 performance of official duties at rates established by the  
20 Mayor: *Provided*, That such rates shall not exceed the  
21 maximum prevailing rates for such vehicles as prescribed  
22 in the Federal Property Management Regulations 101–7  
23 (Federal Travel Regulations).

24 SEC. 105. Appropriations in this Act shall be avail-  
25 able for expenses of travel and for the payment of dues

1 of organizations concerned with the work of the District  
2 of Columbia government, when authorized by the Mayor:  
3 *Provided*, That in the case of the Council of the District  
4 of Columbia, funds may be expended with the authoriza-  
5 tion of the chair of the Council.

6 SEC. 106. There are appropriated from the applica-  
7 ble funds of the District of Columbia such sums as may  
8 be necessary for making refunds and for the payment of  
9 judgments that have been entered against the District of  
10 Columbia government: *Provided*, That nothing contained  
11 in this section shall be construed as modifying or affect-  
12 ing the provisions of section 11(c)(3) of title XII of the  
13 District of Columbia Income and Franchise Tax Act of  
14 1947 (70 Stat. 78; Public Law 84-460; D.C. Code, sec.  
15 47-1812.11(c)(3)).

16 SEC. 107. (a) REQUIRING MAYOR TO MAINTAIN  
17 INDEX.—Effective with respect to fiscal year 2001 and  
18 each succeeding fiscal year, the Mayor of the District of  
19 Columbia shall maintain an index of all employment per-  
20 sonal services and consulting contracts in effect on behalf  
21 of the District government, and shall include in the index  
22 specific information on any severance clause in effect  
23 under any such contract.

1 (b) PUBLIC INSPECTION.—The index maintained  
2 under subsection (a) shall be kept available for public in-  
3 spection during regular business hours.

4 (c) CONTRACTS EXEMPTED.—Subsection (a) shall  
5 not apply with respect to any collective bargaining agree-  
6 ment or any contract entered into pursuant to such a col-  
7 lective bargaining agreement.

8 (d) DISTRICT GOVERNMENT DEFINED.—In this sec-  
9 tion, the term “District government” means the govern-  
10 ment of the District of Columbia, including—

11 (1) any department, agency or instrumentality  
12 of the government of the District of Columbia;

13 (2) any independent agency of the District of  
14 Columbia established under part F of title IV of the  
15 District of Columbia Home Rule Act or any other  
16 agency, board, or commission established by the  
17 Mayor or the Council;

18 (3) the Council of the District of Columbia;

19 (4) any other agency, public authority, or public  
20 benefit corporation which has the authority to re-  
21 ceive monies directly or indirectly from the District  
22 of Columbia (other than monies received from the  
23 sale of goods, the provision of services, or the loan-  
24 ing of funds to the District of Columbia); and

1           (5) the District of Columbia Financial Respon-  
2           sibility and Management Assistance Authority.

3           (e) No payment shall be made pursuant to any such  
4 contract subject to subsection (a), nor any severance pay-  
5 ment made under such contract, if a copy of the contract  
6 has not been filed in the index. Interested parties may file  
7 copies of their contract or severance agreement in the  
8 index on their own behalf.

9           SEC. 108. No part of any appropriation contained in  
10 this Act shall remain available for obligation beyond the  
11 current fiscal year unless expressly so provided herein.

12          SEC. 109. No funds appropriated in this Act for the  
13 District of Columbia government for the operation of  
14 educational institutions, the compensation of personnel,  
15 or for other educational purposes may be used to permit,  
16 encourage, facilitate, or further partisan political activi-  
17 ties. Nothing herein is intended to prohibit the avail-  
18 ability of school buildings for the use of any community  
19 or partisan political group during non-school hours.

20          SEC. 110. None of the funds appropriated in this  
21 Act shall be made available to pay the salary of any em-  
22 ployee of the District of Columbia government whose  
23 name, title, grade, salary, past work experience, and sal-  
24 ary history are not available for inspection by the House  
25 and Senate Committees on Appropriations, the Sub-

1 committee on the District of Columbia of the House  
2 Committee on Government Reform, the Subcommittee on  
3 Oversight of Government Management, Restructuring  
4 and the District of Columbia of the Senate Committee on  
5 Governmental Affairs, and the Council of the District of  
6 Columbia, or their duly authorized representative.

7       SEC. 111. There are appropriated from the applica-  
8 ble funds of the District of Columbia such sums as may  
9 be necessary for making payments authorized by the Dis-  
10 trict of Columbia Revenue Recovery Act of 1977 (D.C.  
11 Law 2–20; D.C. Code, sec. 47–421 et seq.).

12       SEC. 112. No part of this appropriation shall be  
13 used for publicity or propaganda purposes or implemen-  
14 tation of any policy including boycott designed to support  
15 or defeat legislation pending before Congress or any  
16 State legislature.

17       SEC. 113. At the start of the fiscal year, the Mayor  
18 shall develop an annual plan, by quarter and by project,  
19 for capital outlay borrowings: *Provided*, That within a  
20 reasonable time after the close of each quarter, the  
21 Mayor shall report to the Council of the District of Co-  
22 lumbia and the Congress the actual borrowings and  
23 spending progress compared with projections.

24       SEC. 114. The Mayor shall not borrow any funds for  
25 capital projects unless the Mayor has obtained prior ap-

1 proval from the Council of the District of Columbia, by  
2 resolution, identifying the projects and amounts to be fi-  
3 nanced with such borrowings.

4 SEC. 115. The Mayor shall not expend any moneys  
5 borrowed for capital projects for the operating expenses  
6 of the District of Columbia government.

7 SEC. 116. None of the funds provided under this Act  
8 to the agencies funded by this Act, both Federal and Dis-  
9 trict government agencies, that remain available for obli-  
10 gation or expenditure in fiscal year 2001, or provided  
11 from any accounts in the Treasury of the United States  
12 derived by the collection of fees available to the agencies  
13 funded by this Act, shall be available for obligation or ex-  
14 penditure for an agency through a reprogramming of  
15 funds which: (1) creates new programs; (2) eliminates a  
16 program, project, or responsibility center; (3) establishes  
17 or changes allocations specifically denied, limited or in-  
18 creased by Congress in the Act; (4) increases funds or  
19 personnel by any means for any program, project, or re-  
20 sponsibility center for which funds have been denied or  
21 restricted; (5) reestablishes through reprogramming any  
22 program or project previously deferred through re-  
23 programming; (6) augments existing programs, projects,  
24 or responsibility centers through a reprogramming of  
25 funds in excess of \$1,000,000 or 10 percent, whichever

1 is less; or (7) increases by 20 percent or more personnel  
2 assigned to a specific program, project or responsibility  
3 center; unless the Appropriations Committees of both the  
4 Senate and House of Representatives are notified in writ-  
5 ing 30 days in advance of any reprogramming as set  
6 forth in this section.

7       SEC. 117. None of the Federal funds provided in  
8 this Act shall be obligated or expended to provide a per-  
9 sonal cook, chauffeur, or other personal servants to any  
10 officer or employee of the District of Columbia govern-  
11 ment.

12       SEC. 118. None of the Federal funds provided in  
13 this Act shall be obligated or expended to procure pas-  
14 senger automobiles as defined in the Automobile Fuel Ef-  
15 ficiency Act of 1980 (94 Stat. 1824; Public Law 96-425;  
16 15 U.S.C. 2001(2)), with an Environmental Protection  
17 Agency estimated miles per gallon average of less than  
18 22 miles per gallon: *Provided*, That this section shall not  
19 apply to security, emergency rescue, or armored vehicles.

20       SEC. 119. Notwithstanding any other provisions of  
21 law, the provisions of the District of Columbia Govern-  
22 ment Comprehensive Merit Personnel Act of 1978 (D.C.  
23 Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted  
24 pursuant to section 422(3) of the District of Columbia  
25 Home Rule Act (87 Stat. 790; Public Law 93-198; D.C.

1 Code, sec. 1–242(3)), shall apply with respect to the com-  
2 pensation of District of Columbia employees: *Provided*,  
3 That for pay purposes, employees of the District of Co-  
4 lumbia government shall not be subject to the provisions  
5 of title 5, United States Code.

6 SEC. 120. No later than 30 days after the end of the  
7 first quarter of the fiscal year ending September 30,  
8 2001, the Mayor of the District of Columbia shall submit  
9 to the Council of the District of Columbia the new fiscal  
10 year 2001 revenue estimates as of the end of the first  
11 quarter of fiscal year 2001. These estimates shall be used  
12 in the budget request for the fiscal year ending Sep-  
13 tember 30, 2002. The officially revised estimates at mid-  
14 year shall be used for the midyear report.

15 SEC. 121. No sole source contract with the District  
16 of Columbia government or any agency thereof may be  
17 renewed or extended without opening that contract to the  
18 competitive bidding process as set forth in section 303 of  
19 the District of Columbia Procurement Practices Act of  
20 1985 (D.C. Law 6–85; D.C. Code, sec. 1–1183.3), except  
21 that the District of Columbia government or any agency  
22 thereof may renew or extend sole source contracts for  
23 which competition is not feasible or practical: *Provided*,  
24 That the determination as to whether to invoke the com-  
25 petitive bidding process has been made in accordance



1 with duly promulgated rules and procedures and said de-  
2 termination has been reviewed and approved by the Dis-  
3 trict of Columbia Financial Responsibility and Manage-  
4 ment Assistance Authority.

5       SEC. 122. For purposes of the Balanced Budget and  
6 Emergency Deficit Control Act of 1985 (99 Stat. 1037;  
7 Public Law 99–177), the term “program, project, and ac-  
8 tivity” shall be synonymous with and refer specifically to  
9 each account appropriating Federal funds in this Act,  
10 and any sequestration order shall be applied to each of  
11 the accounts rather than to the aggregate total of those  
12 accounts: *Provided*, That sequestration orders shall not  
13 be applied to any account that is specifically exempted  
14 from sequestration by the Balanced Budget and Emer-  
15 gency Deficit Control Act of 1985.

16       SEC. 123. In the event a sequestration order is  
17 issued pursuant to the Balanced Budget and Emergency  
18 Deficit Control Act of 1985 (99 Stat. 1037: Public Law  
19 99–177), after the amounts appropriated to the District  
20 of Columbia for the fiscal year involved have been paid  
21 to the District of Columbia, the Mayor of the District of  
22 Columbia shall pay to the Secretary of the Treasury,  
23 within 15 days after receipt of a request therefor from  
24 the Secretary of the Treasury, such amounts as are se-  
25 questered by the order: *Provided*, That the sequestration

1 percentage specified in the order shall be applied propor-  
2 tionately to each of the Federal appropriation accounts in  
3 this Act that are not specifically exempted from seques-  
4 tration by such Act.

5 SEC. 124. (a) An entity of the District of Columbia  
6 government may accept and use a gift or donation during  
7 fiscal year 2001 if—

8 (1) the Mayor approves the acceptance and use  
9 of the gift or donation: *Provided*, That the Council  
10 of the District of Columbia may accept and use gifts  
11 without prior approval by the Mayor; and

12 (2) the entity uses the gift or donation to carry  
13 out its authorized functions or duties.

14 (b) Each entity of the District of Columbia govern-  
15 ment shall keep accurate and detailed records of the ac-  
16 ceptance and use of any gift or donation under subsection  
17 (a) of this section, and shall make such records available  
18 for audit and public inspection.

19 (c) For the purposes of this section, the term “entity  
20 of the District of Columbia government” includes an  
21 independent agency of the District of Columbia.

22 (d) This section shall not apply to the District of  
23 Columbia Board of Education, which may, pursuant to  
24 the laws and regulations of the District of Columbia, ac-

1 cept and use gifts to the public schools without prior ap-  
2 proval by the Mayor.

3 SEC. 125. None of the Federal funds provided in  
4 this Act may be used by the District of Columbia to pro-  
5 vide for salaries, expenses, or other costs associated with  
6 the offices of United States Senator or United States  
7 Representative under section 4(d) of the District of Co-  
8 lumbia Statehood Constitutional Convention Initiatives of  
9 1979 (D.C. Law 3–171; D.C. Code, sec. 1–113(d)).

10 SEC. 126. (a) The University of the District of Co-  
11 lumbia shall submit to the Mayor, the District of Colum-  
12 bia Financial Responsibility and Management Assistance  
13 Authority and the Council of the District of Columbia no  
14 later than 15 calendar days after the end of each quarter  
15 a report that sets forth—

16 (1) current quarter expenditures and obliga-  
17 tions, year-to-date expenditures and obligations, and  
18 total fiscal year expenditure projections versus budg-  
19 et broken out on the basis of control center, respon-  
20 sibility center, and object class, and for all funds,  
21 non-appropriated funds, and capital financing;

22 (2) a list of each account for which spending is  
23 frozen and the amount of funds frozen, broken out  
24 by control center, responsibility center, detailed ob-  
25 ject, and for all funding sources;

1           (3) a list of all active contracts in excess of  
2       \$10,000 annually, which contains the name of each  
3       contractor; the budget to which the contract is  
4       charged, broken out on the basis of control center  
5       and responsibility center, and contract identifying  
6       codes used by the University of the District of Co-  
7       lumbia; payments made in the last quarter and year-  
8       to-date, the total amount of the contract and total  
9       payments made for the contract and any modifica-  
10      tions, extensions, renewals; and specific modifica-  
11      tions made to each contract in the last month;

12           (4) all reprogramming requests and reports  
13      that have been made by the University of the Dis-  
14      trict of Columbia within the last quarter in compli-  
15      ance with applicable law; and

16           (5) changes made in the last quarter to the or-  
17      ganizational structure of the University of the Dis-  
18      trict of Columbia, displaying previous and current  
19      control centers and responsibility centers, the names  
20      of the organizational entities that have been  
21      changed, the name of the staff member supervising  
22      each entity affected, and the reasons for the struc-  
23      tural change.

24           (b) The Mayor, the Authority, and the Council shall  
25      provide the Congress by February 1, 2001, a summary,

1 analysis, and recommendations on the information pro-  
 2 vided in the quarterly reports.

3 SEC. 127. (a) Nothing in the Federal Grant and Co-  
 4 operative Agreements Act of 1977 (31 U.S.C. 6301 et  
 5 seq.) may be construed to prohibit the Administrator of  
 6 the Environmental Protection Agency from negotiating  
 7 and entering into cooperative agreements and grants au-  
 8 thorized by law which affect real property of the Federal  
 9 Government in the District of Columbia if the principal  
 10 purpose of the cooperative agreement or grant is to pro-  
 11 vide comparable benefits for Federal and non-Federal  
 12 properties in the District of Columbia.

13 (b) Subsection (a) shall apply with respect to fiscal  
 14 year 2001 and each succeeding fiscal year.

15 SEC. 128. (a) CONDITIONS FOR GRANTING PREF-  
 16 ERENCE IN USE OF SURPLUS SCHOOL PROPERTIES TO  
 17 PUBLIC CHARTER SCHOOLS.—

18 (1) IN GENERAL.—Section 2209(b)(1)(A) of the  
 19 District of Columbia School Reform Act of 1995  
 20 (sec. 31–2853.19(b)(1)(A), D.C. Code) is  
 21 amended—

22 (A) by striking “purchase or lease” and in-  
 23 serting “purchase, lease-purchase, or lease”;  
 24 and

1 (B) by striking “, provided that” and all  
2 that follows and inserting a period.

3 (2) PROPERTY SUBJECT TO PREFERENCE.—  
4 Section 2209(b)(1)(B)(iii) of such Act (sec. 31–  
5 2853.19(b)(1)(B)(iii), D.C. Code) is amended to  
6 read as follows:

7 “(iii) with respect to which the Au-  
8 thority or the Board of Education has  
9 transferred jurisdiction to the Mayor at  
10 any time prior or subsequent to the date of  
11 the enactment of this title.”.

12 (b) PROCEDURES FOR DISPOSITION OF PROPERTY.—  
13 Section 2209(b)(1) of such Act (sec. 31–2853.19(b)(1),  
14 D.C. Code) is amended by adding at the end the following  
15 new subparagraphs:

16 “(C) DISPOSITION TO PUBLIC CHARTER  
17 SCHOOLS.—

18 “(i) IN GENERAL.—Public charter  
19 schools shall have the priority right to  
20 lease, lease-purchase, or purchase any va-  
21 cant facility or property described in sub-  
22 paragraph (B), and any facility or property  
23 described in subparagraph (B) which is  
24 leased or occupied as of the date of the en-

1 actment of this subparagraph by an entity  
2 other than a public charter school.

3 “(ii) APPRAISAL OF PROPERTY.—

4 When a public charter school notifies the  
5 Mayor of its intention to exercise its rights  
6 under clause (i), the Mayor shall obtain  
7 within 90 days an independent fair market  
8 appraisal of the facility or property based  
9 on its current permitted use, and shall  
10 transmit a copy of the appraisal to the  
11 public charter school. The public charter  
12 school shall have 30 days from the date of  
13 receipt of the appraisal to enter into a con-  
14 tract for the purchase, lease-purchase, or  
15 lease of such facility or property, which  
16 time may be extended by mutual agree-  
17 ment. Upon execution of the contract, the  
18 public charter school shall have 180 days  
19 to complete the acquisition of the property.

20 “(iii) PRICES.—

21 “(I) PURCHASE.—The purchase  
22 price of a facility or property de-  
23 scribed in this clause and in subpara-  
24 graph (B) shall be the fair market

1 value of the facility or property, less a  
2 25 percent discount.

3 “(II) LEASE.—The lease price of  
4 a facility or property described in this  
5 clause and in subparagraph (B) shall  
6 be the price charged by the District of  
7 Columbia to other nonprofit organiza-  
8 tions leasing public facilities or, if  
9 there is no nonprofit rate, fair market  
10 value less a 25 percent discount. The  
11 price shall be reduced to take into ac-  
12 count the value of any improvement to  
13 the public school facility or property  
14 which is preapproved by the Mayor.

15 “(III) LEASE-PURCHASE.—A  
16 lease-purchase price of a facility or  
17 property described in this clause and  
18 in subparagraph (B) shall reflect a 25  
19 percent discount from fair market  
20 value, in a manner consistent with  
21 subclauses (I) and (II).

22 “(iv) QUARTERLY REPORT.—On Jan-  
23 uary 1, April 1, July 1, and October 1 of  
24 each calendar year, the Mayor shall pub-  
25 lish a report describing the status of each



1 facility or property described in subpara-  
2 graph (B), including the date of expiration  
3 of the lease term or right of occupancy, if  
4 any, and the date, if any, each facility or  
5 property was or will be put out for bid or  
6 transferred to a District of Columbia agen-  
7 cy, if any. The Mayor shall deliver such re-  
8 port to each eligible chartering authority  
9 and shall publish it in the District of Co-  
10 lumbia register.

11 “(D) DISPOSITION OF FACILITIES OR  
12 PROPERTIES AFTER EXCLUSIVE PERIOD.—

13 “(i) IN GENERAL.—The Mayor may  
14 put out for bid to the public or transfer to  
15 a District of Columbia agency for the use  
16 of such agency any facility or property de-  
17 scribed in this subparagraph (B) which  
18 was not acquired by a public charter school  
19 pursuant to subparagraph (C).

20 “(ii) NOTICE.—At least 90 days prior  
21 to putting any such facility property out  
22 for bid or transferring it to a District of  
23 Columbia agency, the Mayor shall notify  
24 each eligible chartering authority in writ-  
25 ing of his intention to do so.

1                   “(iii) PUBLIC CHARTER SCHOOL  
2 RIGHT TO ACQUIRE BEFORE BID OR  
3 TRANSFER.—Prior to the expiration of the  
4 90-day notice period described in clause  
5 (ii), a public charter school may purchase,  
6 lease-purchase, or lease any facility or  
7 property described in the notice under the  
8 terms described in clause (iii) of subpara-  
9 graph (C).

10                   “(iv) PUBLIC CHARTER SCHOOL  
11 RIGHT TO MATCH BID.—With regard to  
12 any facility or property offered for bid  
13 under this subparagraph, the Mayor shall  
14 notify each eligible chartering authority in  
15 writing within 5 days of the amount of the  
16 highest acceptable bid. A public charter  
17 school may purchase, lease-purchase, or  
18 lease such facility or property by submit-  
19 ting a bid for the facility or property with-  
20 in 30 business days of receipt by each eli-  
21 gible chartering authority of such notice.  
22 The cost of acquisition shall be as de-  
23 scribed in clause (iii) of subparagraph (C).

24                   “(v) FACILITIES OR PROPERTIES NOT  
25 PUT OUT FOR BID OR TRANSFERRED.—A

public charter school shall have the right to purchase, lease-purchase, or lease, under the terms described in clause (iii) of subparagraph (C), any facility or property described in this paragraph that has not been put out for bid or transferred to a District of Columbia agency by the Mayor as provided for in this subparagraph.”.

(c) PREFERENCES FOR USE OF CURRENT PROPERTY.—Section 2209(b)(2) of such Act (sec. 31–2853.19(b)(2), D.C. Code) is amended—

(1) in subparagraph (B)(ii), by striking “purposes,” and inserting “purposes directly related to its mission,”; and

(2) by adding at the end the following new subparagraph:

“(C) PREFERENCE DESCRIBED.—A public charter school shall have first priority to lease, or otherwise contract for the use of, any property described in subparagraph (B), at a rate which does not exceed the rate charged a private nonprofit entity for the use of a comparable property of the District of Columbia public schools and which is reduced to take into account the value of repairs or improvements

1           made to the facility or property by the public  
2           charter school.”.

3           (d) EXERCISE OF PREFERENCES BY OTHER ENTI-  
4 TIES.—Section 2209(b) of such Act (sec. 31–2853.19(b),  
5 D.C. Code) is amended by adding at the end the following  
6 new paragraph:

7           “(3) EXERCISE OF PREFERENCE BY CERTAIN  
8 OTHER ENTITIES.—A public charter school may del-  
9 egate to a nonprofit, tax-exempt organization in the  
10 District of Columbia the public charter school’s au-  
11 thority under this subsection.”.

12       SEC. 129. (a) MODIFICATION OF CONTRACTING RE-  
13 QUIREMENTS.—

14           (1) CONTRACTS SUBJECT TO NOTICE REQUIRE-  
15 MENTS.—Section 2204(c)(1)(A) of the District of  
16 Columbia School Reform Act (sec. 31–  
17 2853.14(c)(1)(A), D.C. Code) is amended to read as  
18 follows:

19           “(A) NOTICE REQUIREMENT FOR PRO-  
20 CUREMENT CONTRACTS.—

21           “(i) IN GENERAL.—Except in the case  
22 of an emergency (as determined by the eli-  
23 gible chartering authority of a public char-  
24 ter school), with respect to any procure-  
25 ment contract proposed to be awarded by

1 the public charter school and having a  
2 value equal to or exceeding \$25,000, the  
3 school shall publish a notice of a request  
4 for proposals in the District of Columbia  
5 Register and newspapers of general cir-  
6 culation not less than 7 days prior to the  
7 award of the contract.

8 “(ii) EXCEPTION FOR CERTAIN CON-  
9 TRACTS.—The notice requirement of clause  
10 (i) shall not apply with respect to any con-  
11 tract for the lease or purchase of real  
12 property by a public charter school, any  
13 employment contract for a staff member of  
14 a public charter school, or any manage-  
15 ment contract entered into by a public  
16 charter school and the management com-  
17 pany designated in its charter or its peti-  
18 tion for a revised charter.”.

19 (2) SUBMISSION OF CONTRACTS TO ELIGIBLE  
20 CHARTERING AUTHORITY.—Section 2204(c)(1)(B) of  
21 such Act (sec. 31–2853.14(c)(1)(B), D.C. Code) is  
22 amended—

23 (A) in the heading, by striking “AUTHOR-  
24 ITY” and inserting “ELIGIBLE CHARTERING AU-  
25 THORITY”;

1 (B) in clause (i), by striking “Authority”  
2 and inserting “eligible chartering authority”;  
3 and

4 (C) by amending clause (ii) to read as fol-  
5 lows:

6 “(ii) EFFECTIVE DATE OF CON-  
7 TRACT.—A contract described in subpara-  
8 graph (A) shall become effective on the  
9 date that is 10 days after the date the  
10 school makes the submission under clause  
11 (i) with respect to the contract, or the ef-  
12 fective date specified in the contract,  
13 whichever is later.”.

14 (b) CLARIFICATION OF APPLICATION OF SCHOOL RE-  
15 FORM ACT.—

16 (1) WAIVER OF DUPLICATE AND CONFLICTING  
17 PROVISIONS.—Section 2210 of such Act (sec. 31–  
18 2853.20, D.C. Code) is amended by adding at the  
19 end the following new subsection:

20 “(d) WAIVER OF APPLICATION OF DUPLICATE AND  
21 CONFLICTING PROVISIONS.—Notwithstanding any other  
22 provision of law, and except as otherwise provided in this  
23 title, no provision of any law regarding the establishment,  
24 administration, or operation of public charter schools in  
25 the District of Columbia shall apply with respect to a

1 public charter school or an eligible chartering authority  
2 to the extent that the provision duplicates or is incon-  
3 sistent with any provision of this title.”.

4 (2) EFFECTIVE DATE.—The amendments made  
5 by this subsection shall take effect as if included in  
6 the enactment of the District of Columbia School  
7 Reform Act of 1995.

8 (c) LICENSING REQUIREMENTS FOR PRESCHOOL OR  
9 PREKINDERGARTEN PROGRAMS.—

10 (1) IN GENERAL.—Section 2204(c) of such Act  
11 (sec. 31–2853.14(c), D.C. Code) is amended by add-  
12 ing at the end the following new paragraph:

13 “(18) LICENSING AS CHILD DEVELOPMENT  
14 CENTER.—A public charter school which offers a  
15 preschool or prekindergarten program shall be sub-  
16 ject to the same child care licensing requirements (if  
17 any) which apply to a District of Columbia public  
18 school which offers such a program.”.

19 (2) CONFORMING AMENDMENTS.—(A) Section  
20 2202 of such Act (sec. 31–2853.12, D.C. Code) is  
21 amended by striking clause (17).

22 (B) Section 2203(h)(2) of such Act (sec. 31–  
23 2853.13(h)(2), D.C. Code) is amended by striking  
24 “(17),”.

1       (d) Section 2403 of the District of Columbia School  
2 Reform Act of 1995 (sec. 31–2853.43, D.C. Code) is  
3 amended by adding at the end the following new sub-  
4 section:

5       “(c) ASSIGNMENT OF PAYMENTS.—A public charter  
6 school may assign any payments made to the school under  
7 this section to a financial institution for use as collateral  
8 to secure a loan or for the repayment of a loan.”.

9       (e) Section 2210 of the District of Columbia School  
10 Reform Act of 1995 (sec. 31–2853.20, D.C. Code), as  
11 amended by subsection (b), is further amended by adding  
12 at the end the following new subsection:

13       “(e) PARTICIPATION IN GSA PROGRAMS.—

14               “(1) IN GENERAL.—Notwithstanding any provi-  
15 sion of this Act or any other provision of law, a pub-  
16 lic charter school may acquire goods and services  
17 through the General Services Administration and  
18 may participate in programs of the Administration  
19 in the same manner and to the same extent as any  
20 entity of the District of Columbia government.

21               “(2) PARTICIPATION BY CERTAIN ORGANIZA-  
22 TIONS.—A public charter school may delegate to a  
23 nonprofit, tax-exempt organization in the District of  
24 Columbia the public charter school’s authority under  
25 paragraph (1).”.



1        SEC. 130. None of the funds appropriated under this  
2 Act shall be expended for any abortion except where the  
3 life of the mother would be endangered if the fetus were  
4 carried to term or where the pregnancy is the result of  
5 an act of rape or incest.

6        SEC. 131. None of the funds made available in this  
7 Act may be used to implement or enforce the Health  
8 Care Benefits Expansion Act of 1992 (D.C. Law 9–114;  
9 D.C. Code, sec. 36–1401 et seq.) or to otherwise imple-  
10 ment or enforce any system of registration of unmarried,  
11 cohabiting couples (whether homosexual, heterosexual, or  
12 lesbian), including but not limited to registration for the  
13 purpose of extending employment, health, or govern-  
14 mental benefits to such couples on the same basis that  
15 such benefits are extended to legally married couples.

16        SEC. 132. The Superintendent of the District of Co-  
17 lumbia Public Schools shall submit to the Congress, the  
18 Mayor, the District of Columbia Financial Responsibility  
19 and Management Assistance Authority, and the Council  
20 of the District of Columbia no later than 15 calendar  
21 days after the end of each quarter a report that sets  
22 forth—

23            (1) current quarter expenditures and obliga-  
24            tions, year-to-date expenditures and obligations, and  
25            total fiscal year expenditure projections versus budg-

1 et, broken out on the basis of control center, respon-  
2 sibility center, agency reporting code, and object  
3 class, and for all funds, including capital financing;

4 (2) a list of each account for which spending is  
5 frozen and the amount of funds frozen, broken out  
6 by control center, responsibility center, detailed ob-  
7 ject, and agency reporting code, and for all funding  
8 sources;

9 (3) a list of all active contracts in excess of  
10 \$10,000 annually, which contains the name of each  
11 contractor; the budget to which the contract is  
12 charged, broken out on the basis of control center,  
13 responsibility center, and agency reporting code; and  
14 contract identifying codes used by the District of Co-  
15 lumbia Public Schools; payments made in the last  
16 quarter and year-to-date, the total amount of the  
17 contract and total payments made for the contract  
18 and any modifications, extensions, renewals; and  
19 specific modifications made to each contract in the  
20 last month;

21 (4) all reprogramming requests and reports  
22 that are required to be, and have been, submitted to  
23 the Board of Education; and

24 (5) changes made in the last quarter to the or-  
25 ganizational structure of the District of Columbia

1 Public Schools, displaying previous and current con-  
2 trol centers and responsibility centers, the names of  
3 the organizational entities that have been changed,  
4 the name of the staff member supervising each enti-  
5 ty affected, and the reasons for the structural  
6 change.

7 SEC. 133. (a) IN GENERAL.—The Superintendent of  
8 the District of Columbia Public Schools and the Univer-  
9 sity of the District of Columbia shall annually compile an  
10 accurate and verifiable report on the positions and em-  
11 ployees in the public school system and the university, re-  
12 spectively. The annual report shall set forth—

13 (1) the number of validated schedule A posi-  
14 tions in the District of Columbia public schools and  
15 the University of the District of Columbia for fiscal  
16 year 2000, fiscal year 2001, and thereafter on full-  
17 time equivalent basis, including a compilation of all  
18 positions by control center, responsibility center,  
19 funding source, position type, position title, pay  
20 plan, grade, and annual salary; and

21 (2) a compilation of all employees in the Dis-  
22 trict of Columbia public schools and the University  
23 of the District of Columbia as of the preceding De-  
24 cember 31, verified as to its accuracy in accordance  
25 with the functions that each employee actually per-

1 forms, by control center, responsibility center, agen-  
2 cy reporting code, program (including funding  
3 source), activity, location for accounting purposes,  
4 job title, grade and classification, annual salary, and  
5 position control number.

6 (b) SUBMISSION.—The annual report required by  
7 subsection (a) of this section shall be submitted to the  
8 Congress, the Mayor, the District of Columbia Council,  
9 the Consensus Commission, and the Authority, not later  
10 than February 15 of each year.

11 SEC. 134. (a) No later than November 1, 2000, or  
12 within 30 calendar days after the date of the enactment  
13 of this Act, which ever occurs later, and each succeeding  
14 year, the Superintendent of the District of Columbia  
15 Public Schools and the University of the District of Co-  
16 lumbia shall submit to the appropriate congressional  
17 committees, the Mayor, the District of Columbia Council,  
18 the Consensus Commission, and the District of Columbia  
19 Financial Responsibility and Management Assistance Au-  
20 thority, a revised appropriated funds operating budget for  
21 the public school system and the University of the Dis-  
22 trict of Columbia for such fiscal year that is in the total  
23 amount of the approved appropriation and that realigns  
24 budgeted data for personal services and other-than-per-

1 sonal services, respectively, with anticipated actual ex-  
2 penditures.

3 (b) The revised budget required by subsection (a) of  
4 this section shall be submitted in the format of the budg-  
5 et that the Superintendent of the District of Columbia  
6 Public Schools and the University of the District of Co-  
7 lumbia submit to the Mayor of the District of Columbia  
8 for inclusion in the Mayor's budget submission to the  
9 Council of the District of Columbia pursuant to section  
10 442 of the District of Columbia Home Rule Act (Public  
11 Law 93-198; D.C. Code, sec. 47-301).

12 SEC. 135. The District of Columbia Financial Re-  
13 sponsibility and Management Assistance Authority, act-  
14 ing on behalf of the District of Columbia Public Schools  
15 (DCPS) in formulating the DCPS budget, the Board of  
16 Trustees of the University of the District of Columbia,  
17 the Board of Library Trustees, and the Board of Gov-  
18 ernors of the University of the District of Columbia  
19 School of Law shall vote on and approve the respective  
20 annual or revised budgets for such entities before submis-  
21 sion to the Mayor of the District of Columbia for inclu-  
22 sion in the Mayor's budget submission to the Council of  
23 the District of Columbia in accordance with section 442  
24 of the District of Columbia Home Rule Act (Public Law

1 93–198; D.C. Code, sec. 47–301), or before submitting  
2 their respective budgets directly to the Council.

3 SEC. 136. (a) ACCEPTANCE AND USE OF GRANTS  
4 NOT INCLUDED IN CEILING UNDER “DIVISION OF EX-  
5 PENSES”.—

6 (1) IN GENERAL.—The Mayor, in consultation  
7 with the Chief Financial Officer, during a control  
8 year, as defined in section 305(4) of the District of  
9 Columbia Financial Responsibility and Management  
10 Assistance Act of 1995 (Public Law 104–8; 109  
11 Stat. 152), may accept, obligate, and expend Fed-  
12 eral, private, and other grants received by the Dis-  
13 trict government that are not reflected in the  
14 amounts appropriated in this Act.

15 (2) REQUIREMENT OF CHIEF FINANCIAL OFFI-  
16 CER REPORT AND AUTHORITY APPROVAL.—No such  
17 Federal, private, or other grant may be accepted, ob-  
18 ligated, or expended pursuant to paragraph (1)  
19 until—

20 (A) the Chief Financial Officer of the Dis-  
21 trict of Columbia submits to the Authority a re-  
22 port setting forth detailed information regard-  
23 ing such grant; and

24 (B) the Authority has reviewed and ap-  
25 proved the acceptance, obligation, and expendi-

1           ture of such grant in accordance with review  
2           and approval procedures consistent with the  
3           provisions of the District of Columbia Financial  
4           Responsibility and Management Assistance Act  
5           of 1995.

6           (3) PROHIBITION ON SPENDING IN ANTICIPA-  
7           TION OF APPROVAL OR RECEIPT.—No amount may  
8           be obligated or expended from the general fund or  
9           other funds of the District government in anticipa-  
10          tion of the approval or receipt of a grant under  
11          paragraph (2)(B) of this subsection or in anticipa-  
12          tion of the approval or receipt of a Federal, private,  
13          or other grant not subject to such paragraph.

14          (4) QUARTERLY REPORTS.—The Chief Finan-  
15          cial Officer of the District of Columbia shall prepare  
16          a quarterly report setting forth detailed information  
17          regarding all Federal, private, and other grants sub-  
18          ject to this subsection. Each such report shall be  
19          submitted to the Council of the District of Columbia,  
20          and to the Committees on Appropriations of the  
21          House of Representatives and the Senate, not later  
22          than 15 days after the end of the quarter covered  
23          by the report.

24          (b) REPORT ON EXPENDITURES BY FINANCIAL RE-  
25          SPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHOR-

1 ITY.—Not later than 20 calendar days after the end of  
2 each fiscal quarter starting October 1, 2000, the Author-  
3 ity shall submit a report to the Committees on Appro-  
4 priations of the House of Representatives and the Senate,  
5 the Committee on Government Reform of the House, and  
6 the Committee on Governmental Affairs of the Senate  
7 providing an itemized accounting of all non-appropriated  
8 funds obligated or expended by the Authority for the  
9 quarter. The report shall include information on the date,  
10 amount, purpose, and vendor name, and a description of  
11 the services or goods provided with respect to the expend-  
12 itures of such funds.

13 SEC. 137. If a department or agency of the govern-  
14 ment of the District of Columbia is under the administra-  
15 tion of a court-appointed receiver or other court-ap-  
16 pointed official during fiscal year 2001 or any succeeding  
17 fiscal year, the receiver or official shall prepare and sub-  
18 mit to the Mayor, for inclusion in the annual budget of  
19 the District of Columbia for the year, annual estimates  
20 of the expenditures and appropriations necessary for the  
21 maintenance and operation of the department or agency.  
22 All such estimates shall be forwarded by the Mayor to the  
23 Council, for its action pursuant to sections 446 and  
24 603(c) of the District of Columbia Home Rule Act, with-  
25 out revision but subject to the Mayor's recommendations.



1 Notwithstanding any provision of the District of Colum-  
2 bia Home Rule Act (87 Stat. 774; Public Law 93–198)  
3 the Council may comment or make recommendations con-  
4 cerning such annual estimates but shall have no authority  
5 under such Act to revise such estimates.

6 SEC. 138. (a) Notwithstanding any other provision  
7 of law, rule, or regulation, an employee of the District of  
8 Columbia public schools shall be—

9 (1) classified as an Educational Service em-  
10 ployee;

11 (2) placed under the personnel authority of the  
12 Board of Education; and

13 (3) subject to all Board of Education rules.

14 (b) School-based personnel shall constitute a sepa-  
15 rate competitive area from nonschool-based personnel  
16 who shall not compete with school-based personnel for re-  
17 tention purposes.

18 SEC. 139. (a) RESTRICTIONS ON USE OF OFFICIAL  
19 VEHICLES.—Except as otherwise provided in this section,  
20 none of the funds made available by this Act or by any  
21 other Act may be used to provide any officer or employee  
22 of the District of Columbia with an official vehicle unless  
23 the officer or employee uses the vehicle only in the per-  
24 formance of the officer’s or employee’s official duties. For  
25 purposes of this paragraph, the term “official duties”

1 does not include travel between the officer's or employee's  
2 residence and workplace (except (1) in the case of an of-  
3 ficer or employee of the Metropolitan Police Department  
4 who resides in the District of Columbia or is otherwise  
5 designated by the Chief of the Department; (2) at the  
6 discretion of the Fire Chief, an officer or employee of the  
7 District of Columbia Fire and Emergency Medical Serv-  
8 ices Department who resides in the District of Columbia  
9 and is on call 24 hours a day; (3) the Mayor of the Dis-  
10 trict of Columbia; and (4) the Chairman of the Council  
11 of the District of Columbia).

12 (b) INVENTORY OF VEHICLES.—The Chief Financial  
13 Officer of the District of Columbia shall submit, by No-  
14 vember 15, 2000, an inventory, as of September 30,  
15 2000, of all vehicles owned, leased or operated by the  
16 District of Columbia government. The inventory shall in-  
17 clude, but not be limited to, the department to which the  
18 vehicle is assigned; the year and make of the vehicle; the  
19 acquisition date and cost; the general condition of the ve-  
20 hicle; annual operating and maintenance costs; current  
21 mileage; and whether the vehicle is allowed to be taken  
22 home by a District officer or employee and if so, the offi-  
23 cer or employee's title and resident location.

24 SEC. 140. (a) SOURCE OF PAYMENT FOR EMPLOY-  
25 EES DETAILED WITHIN GOVERNMENT.—For purposes of

1 determining the amount of funds expended by any entity  
2 within the District of Columbia government during fiscal  
3 year 2001 and each succeeding fiscal year, any expendi-  
4 tures of the District government attributable to any offi-  
5 cer or employee of the District government who provides  
6 services which are within the authority and jurisdiction of  
7 the entity (including any portion of the compensation  
8 paid to the officer or employee attributable to the time  
9 spent in providing such services) shall be treated as ex-  
10 penditures made from the entity's budget, without regard  
11 to whether the officer or employee is assigned to the enti-  
12 ty or otherwise treated as an officer or employee of the  
13 entity.

14 (b) MODIFICATION OF REDUCTION IN FORCE PRO-  
15 CEDURES.—The District of Columbia Government Com-  
16 prehensive Merit Personnel Act of 1978 (D.C. Code, sec.  
17 1–601.1 et seq.), is further amended in section 2408(a)  
18 by striking “2000” and inserting, “2001”; in subsection  
19 (b), by striking “2000” and inserting “2001”; in sub-  
20 section (i), by striking “2000” and inserting, “2001”;  
21 and in subsection (k), by striking “2000” and inserting,  
22 “2001”.

23 (c) No officer or employee of the District of Columbia  
24 government (including any independent agency of the Dis-  
25 trict but excluding the District of Columbia Financial Re-

1 sponsibility and Management Assistance Authority, the  
2 Metropolitan Police Department, and the Office of the  
3 Chief Technology Officer) may enter into an agreement  
4 in excess of \$2,500 for the procurement of goods or serv-  
5 ices on behalf of any entity of the District government  
6 until the officer or employee has conducted an analysis  
7 of how the procurement of the goods and services involved  
8 under the applicable regulations and procedures of the  
9 District government would differ from the procurement of  
10 the goods and services involved under the Federal supply  
11 schedule and other applicable regulations and procedures  
12 of the General Services Administration, including an anal-  
13 ysis of any differences in the costs to be incurred and the  
14 time required to obtain the goods or services.

15 SEC. 141. Notwithstanding any other provision of  
16 law, not later than 120 days after the date that a Dis-  
17 trict of Columbia Public Schools (DCPS) student is re-  
18 ferred for evaluation or assessment—

19 (1) the District of Columbia Board of Edu-  
20 cation or its successor, and DCPS shall assess or  
21 evaluate a student who may have a disability and  
22 who may require special education services; and

23 (2) if a student is classified as having a dis-  
24 ability, as defined in section 101(a)(1) of the Indi-  
25 viduals with Disabilities Education Act (84 Stat.

1       175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the  
2       Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C.  
3       706(8)), the Board and DCPS shall place that stu-  
4       dent in an appropriate program of special education  
5       services.

6       SEC. 142. (a) COMPLIANCE WITH BUY AMERICAN  
7       ACT.—None of the funds made available in this Act may  
8       be expended by an entity unless the entity agrees that in  
9       expending the funds the entity will comply with the Buy  
10      American Act (41 U.S.C. 10a–10c).

11      (b) SENSE OF CONGRESS; REQUIREMENT REGARD-  
12      ING NOTICE.—

13           (1) PURCHASE OF AMERICAN-MADE EQUIPMENT  
14      AND PRODUCTS.—In the case of any equipment or  
15      product that may be authorized to be purchased  
16      with financial assistance provided using funds made  
17      available in this Act, it is the sense of the Congress  
18      that entities receiving the assistance should, in ex-  
19      pending the assistance, purchase only American-  
20      made equipment and products to the greatest extent  
21      practicable.

22           (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—  
23      In providing financial assistance using funds made  
24      available in this Act, the head of each agency of the  
25      Federal or District of Columbia government shall

1 provide to each recipient of the assistance a notice  
2 describing the statement made in paragraph (1) by  
3 the Congress.

4 (c) PROHIBITION OF CONTRACTS WITH PERSONS  
5 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
6 If it has been finally determined by a court or Federal  
7 agency that any person intentionally affixed a label bear-  
8 ing a “Made in America” inscription, or any inscription  
9 with the same meaning, to any product sold in or shipped  
10 to the United States that is not made in the United  
11 States, the person shall be ineligible to receive any con-  
12 tract or subcontract made with funds made available in  
13 this Act, pursuant to the debarment, suspension, and in-  
14 eligibility procedures described in sections 9.400 through  
15 9.409 of title 48, Code of Federal Regulations.

16 SEC. 143. None of the funds contained in this Act  
17 may be used for purposes of the annual independent  
18 audit of the District of Columbia government (including  
19 the District of Columbia Financial Responsibility and  
20 Management Assistance Authority) for fiscal year 2000  
21 unless—

22 (1) the audit is conducted by the Inspector  
23 General of the District of Columbia pursuant to sec-  
24 tion 208(a)(4) of the District of Columbia Procure-

1        ment Practices Act of 1985 (D.C. Code, sec. 1–  
2        1182.8(a)(4)); and

3            (2) the audit includes a comparison of audited  
4        actual year-end results with the revenues submitted  
5        in the budget document for such year and the appro-  
6        priations enacted into law for such year.

7        SEC. 144. Nothing in this Act shall be construed to  
8        authorize any office, agency or entity to expend funds for  
9        programs or functions for which a reorganization plan is  
10       required but has not been approved by the District of Co-  
11       lumbia Financial Responsibility and Management Assist-  
12       ance Authority. Appropriations made by this Act for such  
13       programs or functions are conditioned only on the ap-  
14       proval by the Authority of the required reorganization  
15       plans.

16       SEC. 145. Notwithstanding any other provision of  
17       law, rule, or regulation, the evaluation process and in-  
18       struments for evaluating District of Columbia Public  
19       School employees shall be a non-negotiable item for col-  
20       lective bargaining purposes.

21       SEC. 146. None of the funds contained in this Act  
22       may be used by the District of Columbia Corporation  
23       Counsel or any other officer or entity of the District gov-  
24       ernment to provide assistance for any petition drive or  
25       civil action which seeks to require Congress to provide for

1 voting representation in Congress for the District of Co-  
2 lumbia.

3 SEC. 147. None of the funds contained in this Act  
4 may be used to transfer or confine inmates classified  
5 above the medium security level, as defined by the Fed-  
6 eral Bureau of Prisons classification instrument, to the  
7 Northeast Ohio Correctional Center located in Youngs-  
8 town, Ohio.

9 SEC. 148. (a) Section 202(j) of the District of Colum-  
10 bia Financial Responsibility and Management Assistance  
11 Act of 1995 (sec. 47–392.2(j), DC Code), as amended by  
12 section 148(a) of the District of Columbia Appropriations  
13 Act, 2000, is amended to read as follows:

14 “(j) RESERVE.—

15 “(1) IN GENERAL.—Beginning with fiscal year  
16 2000, the financial plan or budget submitted pursu-  
17 ant to this Act shall contain \$150,000,000, to re-  
18 main available until expended, for a reserve to be es-  
19 tablished by the Mayor, Council of the District of  
20 Columbia, Chief Financial Officer for the District of  
21 Columbia, and the District of Columbia Financial  
22 Responsibility and Management Assistance Author-  
23 ity.

24 “(2) CONDITIONS ON USE.—The reserve  
25 funds—



1           “(A) shall only be expended according to  
2           criteria established by the Chief Financial Offi-  
3           cer and approved by the Mayor, Council of the  
4           District of Columbia, and District of Columbia  
5           Financial Responsibility and Management As-  
6           sistance Authority;

7           “(B) shall not be used to fund the agencies  
8           of the District of Columbia government under  
9           court ordered receivership; and

10          “(C) shall not be used to fund shortfalls in  
11          the projected reductions budgeted in the budget  
12          proposed by the District of Columbia govern-  
13          ment for general supply schedule savings, man-  
14          agement reform savings, and cafeteria plan sav-  
15          ings.

16          “(3) REPORT REQUIREMENT.—The Authority  
17          shall notify the Committees on Appropriations of the  
18          Senate and House of Representatives in writing 30  
19          days in advance of any expenditure of the reserve  
20          funds.

21          “(4) REPLENISHMENT.—Any amount of the re-  
22          serve funds which is expended in one fiscal year  
23          shall be replenished in the reserve funds from the  
24          following fiscal year appropriations to maintain the  
25          \$150,000,000 balance.”.

1 (b) Section 202(k) of such Act (sec. 47–392.2(k), DC  
2 Code), as amended by section 148(b) of the District of  
3 Columbia Appropriations Act, 2000, is amended to read  
4 as follows:

5 “(k) POSITIVE FUND BALANCE.—

6 “(1) IN GENERAL.—The District of Columbia  
7 shall maintain at the end of a fiscal year an annual  
8 positive fund balance in the general fund of not less  
9 than 4 percent of the projected general fund expend-  
10 itures for the following fiscal year.

11 “(2) EXCESS FUNDS.—Of funds remaining in  
12 excess of the amounts required by paragraph (1)—

13 “(A) not more than 50 percent may be  
14 used for authorized non-recurring expenses; and

15 “(B) not less than 50 percent shall be used  
16 to reduce the debt of the District of Colum-  
17 bia.”.

18 (c) The amendments made by this section shall take  
19 effect as if included in the enactment of the District of  
20 Columbia Appropriations Act, 2000.

21 SEC. 149. Subsection 3(e) of Public Law 104–21  
22 (D.C. Code sec. 7–134.2(e)) is amended to read as fol-  
23 lows:

24 “(e) INSPECTOR GENERAL AUDIT.—Not later than  
25 February 1, 2001, and each February 1, thereafter, the

1 Inspector General of the District of Columbia shall audit  
2 the financial statements of the District of Columbia  
3 Highway Trust Fund for the preceding fiscal year and  
4 shall submit to Congress a report on the results of such  
5 audit. Not later than May 31, 2001, and each May 31,  
6 thereafter, the Inspector General shall examine the state-  
7 ments forecasting the conditions and operations of the  
8 Trust Fund for the next five fiscal years commencing on  
9 the previous October 1 and shall submit to Congress a  
10 report on the results of such examination.”.

11 SEC. 150. None of the Federal funds contained in  
12 this Act may be used for any program of distributing  
13 sterile needles or syringes for the hypodermic injection of  
14 any illegal drug.

15 SEC. 151. (a) RESTRICTIONS ON LEASES.—Upon  
16 the expiration of the 60-day period that begins on the  
17 date of the enactment of this Act, none of the funds con-  
18 tained in this Act may be used to make rental payments  
19 under a lease for the use of real property by the District  
20 of Columbia government (including any independent  
21 agency of the District) unless the lease and an abstract  
22 of the lease have been filed (by the District of Columbia  
23 or any other party to the lease) with the central office  
24 of the Deputy Mayor for Economic Development, in an  
25 indexed registry available for public inspection.

1 (b) ADDITIONAL RESTRICTIONS ON CURRENT  
2 LEASES.—

3 (1) IN GENERAL.—Upon the expiration of the  
4 60-day period that begins on the date of the enact-  
5 ment of this Act, in the case of a lease described in  
6 paragraph (3), none for the funds contained in this  
7 Act may be used to make rental payments under the  
8 lease unless the lease is included in periodic reports  
9 submitted by the Mayor and Council of the District  
10 of Columbia to the Committees on Appropriations of  
11 the House of Representatives and Senate describing  
12 for each such lease the following information:

13 (A) The location of the property involved,  
14 the name of the owners of record according to  
15 the land records of the District of Columbia,  
16 the name of the lessors according to the lease,  
17 the rate of payment under the lease, the period  
18 of time covered by the lease, and the conditions  
19 under which the lease may be terminated.

20 (B) The extent to which the property is or  
21 is not occupied by the District of Columbia gov-  
22 ernment as of the end of the reporting period  
23 involved.

24 (C) If the property is not occupied and uti-  
25 lized by the District government as of the end

1 of the reporting period involved, a plan for oc-  
2 cupying and utilizing the property (including  
3 construction or renovation work) or a status  
4 statement regarding any efforts by the District  
5 to terminate or renegotiate the lease.

6 (2) TIMING OF REPORTS.—The reports de-  
7 scribed in paragraph (1) shall be submitted for each  
8 calendar quarter (beginning with the quarter ending  
9 December 31, 2000) not later than 20 days after the  
10 end of the quarter involved, plus an initial report  
11 submitted not later than 60 days after the date of  
12 the enactment of this Act, which shall provide infor-  
13 mation as of the date of the enactment of this Act.

14 (3) LEASES DESCRIBED.—A lease described in  
15 this paragraph is a lease in effect as of the date of  
16 the enactment of this Act for the use of real prop-  
17 erty by the District of Columbia government (includ-  
18 ing any independent agency of the District) which is  
19 not being occupied by the District government (in-  
20 cluding any independent agency of the District) as  
21 of such date or during the 60-day period which be-  
22 gins on the date of the enactment of this Act.

23 SEC. 152. (a) MANAGEMENT OF EXISTING DISTRICT  
24 GOVERNMENT PROPERTY.—Upon the expiration of the  
25 60-day period that begins on the date of the enactment

1 of this Act, none of the funds contained in this Act may  
2 be used to enter into a lease (or to make rental payments  
3 under such a lease) for the use of real property by the  
4 District of Columbia government (including any inde-  
5 pendent agency of the District) or to purchase real prop-  
6 erty for the use of District of Columbia government (in-  
7 cluding any independent agency of the District) or to  
8 manage real property for the use of the District of Co-  
9 lumbia (including any independent agency of the District)  
10 unless the following conditions are met:

11           (1) The Mayor and Council of the District of  
12       Columbia certify to the Committees on Appropria-  
13       tions of the House of Representatives and Senate  
14       that existing real property available to the District  
15       (whether leased or owned by the District govern-  
16       ment) is not suitable for the purposes intended.

17           (2) Notwithstanding any other provisions of  
18       law, there is made available for sale or lease all real  
19       property of the District of Columbia that the Mayor  
20       from time to time determines is surplus to the needs  
21       of the District of Columbia, unless a majority of the  
22       members of the Council override the Mayor's deter-  
23       mination during the 30-day period which begins on  
24       the date the determination is published.

1           (3) The Mayor and Council implement a pro-  
2           gram for the periodic survey of all District property  
3           to determine if it is surplus to the needs of the Dis-  
4           trict.

5           (4) The Mayor and Council within 60 days of  
6           the date of the enactment of this Act have filed with  
7           the Committees on Appropriations of the House of  
8           Representatives and Senate, the Committee on Gov-  
9           ernment Reform of the House of Representatives,  
10          and the Committee on Governmental Affairs of the  
11          Senate a report which provides a comprehensive plan  
12          for the management of District of Columbia real  
13          property assets, and are proceeding with the imple-  
14          mentation of the plan.

15          (b) TERMINATION OF PROVISIONS.—If the District  
16          of Columbia enacts legislation to reform the practices and  
17          procedures governing the entering into of leases for the  
18          use of real property by the District of Columbia govern-  
19          ment and the disposition of surplus real property of the  
20          District government, the provisions of subsection (a) shall  
21          cease to be effective upon the effective date of the legisla-  
22          tion.

23          SEC. 153. Section 158(b) of Public Law 106–113,  
24          approved November 29, 1999 (113 Stat. 1527) is amend-  
25          ed to read as follows:

1       “(b) SOURCE OF FUNDS.—An amount not to exceed  
2   \$5,000,000 from the National Highway System funds ap-  
3   portioned to the District of Columbia under section 104  
4   of title 23, United States Code, may be used for purposes  
5   of carrying out the project under subsection (a).”

6       SEC. 154. (a) CERTIFICATION.—None of the funds  
7   contained in this Act may be used after the expiration of  
8   the 30-day period that begins on the date of the enact-  
9   ment of this Act to pay the salary of any chief financial  
10   officer of any office of the District of Columbia govern-  
11   ment (including the District of Columbia Financial Re-  
12   sponsibility and Management Assistance Authority and  
13   any independent agency of the District) who has not filed  
14   a certification with the Mayor and the Chief Financial  
15   Officer of the District of Columbia that the officer under-  
16   stands the duties and restrictions applicable to the officer  
17   as a result of this Act (and the amendments made by this  
18   Act), including any duty to prepare a report requested ei-  
19   ther in the Act or in any of the reports accompanying the  
20   Act and the deadline by which each report must be sub-  
21   mitted, and the District’s Chief Financial Officer shall  
22   provide to the Committees on Appropriations of the Sen-  
23   ate and the House of Representatives by the 10th day  
24   after the end of each quarter a summary list showing



1 each report, the due date and the date submitted to the  
2 Committees.

3 (b) PENALTY.—Any chief financial officer who car-  
4 ries out any activity in violation of any provision of this  
5 Act or any amendment made by this Act shall be subject  
6 to a civil money penalty in accordance with applicable  
7 District of Columbia law.

8 SEC. 155. (a) Notwithstanding the provisions of the  
9 District of Columbia Government Comprehensive Merit  
10 Personnel Act of 1978 (D.C. Law 2–139; D.C. Code 1–  
11 601.1 et seq.), or any other District of Columbia law,  
12 statute, regulation, the provisions of the District of Co-  
13 lumbia Personnel Manual, or the provisions of any collec-  
14 tive bargaining agreement, employees of the District of  
15 Columbia government will only receive compensation for  
16 overtime work in excess of 40 hours per week (or other  
17 applicable tour of duty) or work actually performed, in  
18 accordance with the provisions of the Fair Labor Stand-  
19 ards Act, 29 U.S.C. § 201 et seq.

20 (b) Subsection (a) of this section shall be effective  
21 December 27, 1996 in order to ratify and approve the  
22 Resolution and Order of the District of Columbia Finan-  
23 cial Responsibility and Management Assistance Author-  
24 ity, dated December 27, 1996.

1        SEC. 156. The proposed budget of the government  
2 of the District of Columbia for fiscal year 2002 that is  
3 submitted by the District to Congress shall specify poten-  
4 tial adjustments that might become necessary in the  
5 event that the management savings achieved by the Dis-  
6 trict during the year do not meet the level of manage-  
7 ment savings projected by the District under the pro-  
8 posed budget.

9        SEC. 157. In submitting any document showing the  
10 budget for an office of the District of Columbia govern-  
11 ment (including an independent Agency of the District)  
12 that contains a category of activities labeled as “other”,  
13 “miscellaneous”, or a similar general, nondescriptive  
14 term, the document shall include a description of the  
15 types of activities covered in the category and a detailed  
16 breakdown of the amount allocated for each such activity.

17        SEC. 158. (a) None of the funds contained in this  
18 Act may be used to enact or carry out any law, rule, or  
19 regulation to legalize or otherwise reduce penalties associ-  
20 ated with the possession, use, or distribution of any  
21 schedule I substance under the Controlled Substances  
22 Act (21 U.S.C. 802) or any tetrahydrocannabinols deriva-  
23 tive.

24        (b) The Legalization of Marijuana for Medical  
25 Treatment Initiative of 1998, also know as Initiative 59,

1 approved by the electors of the District of Columbia on  
2 November 3, 1998, shall not take effect.

3 SEC. 159. Notwithstanding any other provision of  
4 law, the Mayor of the District of Columbia, in consultation  
5 with the committee established under section 603(e)(2)(B)  
6 of the Student Loan Marketing Association Reorganiza-  
7 tion Act of 1996 (Public Law 104–208; 110 Stat. 8009–  
8 293, as amended by Public Law 106–113; 113 Stat.  
9 1526), is hereby authorized to allocate the District’s limi-  
10 tation amount of qualified zone academy bonds (estab-  
11 lished pursuant to 26 U.S.C. 1397E) among qualified  
12 zone academies within the District.

13 SEC. 160. (a) Section 11232 of the Balanced Budget  
14 Act of 1997 (sec. 24–1232, DC Code) is amended—

15 (1) by redesignating subsections (f) through (i)  
16 as subsections (g) through (j); and

17 (2) by inserting after subsection (e) the fol-  
18 lowing new subsection:

19 “(f) TREATMENT AS FEDERAL EMPLOYEES.—

20 “(1) IN GENERAL.—The Trustee and employees  
21 of the Trustee who are not covered under subsection  
22 (e) shall be treated as employees of the Federal Gov-  
23 ernment solely for purposes of the following provi-  
24 sions of title 5, United States Code:

25 “(A) Chapter 83 (relating to retirement).

1                   “(B) Chapter 84 (relating to the Federal  
2                   Employees’ Retirement System).

3                   “(C) Chapter 87 (relating to life insur-  
4                   ance).

5                   “(D) Chapter 89 (relating to health insur-  
6                   ance).

7                   “(2) EFFECTIVE DATES OF COVERAGE.—The  
8                   effective dates of coverage of the provisions of para-  
9                   graph (1) are as follows:

10                  “(A) In the case of the Trustee and em-  
11                  ployees of the Office of the Trustee and the Of-  
12                  fice of Adult Probation, August 5, 1997, or the  
13                  date of appointment, whichever is later.

14                  “(B) In the case of employees of the Office  
15                  of Parole, October 11, 1998, or the date of ap-  
16                  pointment, whichever is later.

17                  “(C) In the case of employees of the Pre-  
18                  trial Services Agency, January 3, 1999, or the  
19                  date of appointment, whichever is later.

20                  “(3) RATE OF CONTRIBUTIONS.—The Trustee  
21                  shall make contributions under the provisions re-  
22                  ferred to in paragraph (1) at the same rates applica-  
23                  ble to agencies of the Federal Government.

1           “(4) REGULATIONS.—The Office of Personnel  
2           Management shall issue such regulations as are nec-  
3           essary to carry out this subsection.”.

4           (b) The amendment made by subsection (a) shall take  
5           effect as if included in the enactment of title XI of the  
6           Balanced Budget Act of 1997.

7           SEC. 161. It is the sense of Congress that the pa-  
8           tients of Saint Elizabeths Hospital and the taxpayers of  
9           the District of Columbia are being poorly served by the  
10          current facilities and management of the Hospital.

11          SEC. 162. It is the sense of Congress that the Dis-  
12          trict of Columbia Financial Responsibility and Manage-  
13          ment Assistance Authority should quickly complete the  
14          sale of the Franklin School property, a property which  
15          has been vacant for over 20 years.

16          SEC. 163. It is the sense of Congress that the District  
17          of Columbia government should take all steps necessary  
18          to ensure that officials of the District government (includ-  
19          ing officials of the District of Columbia Financial Respon-  
20          sibility and Management Assistance Authority, inde-  
21          pendent agencies, boards, commissions, and corporations  
22          of the government) maintain a fiduciary duty to the tax-  
23          payers of the District in the administration of funds under  
24          their control.

1        SEC. 164. No amounts may be made available during  
2        fiscal year 2001 to the District of Columbia Health and  
3        Hospitals Public Benefit Corporation (through reprogram-  
4        ming, transfers, loans, or any other mechanism) other  
5        than the amounts which are otherwise provided for the  
6        Corporation in this Act under the heading “DISTRICT OF  
7        COLUMBIA HEALTH AND HOSPITALS PUBLIC BENEFIT  
8        CORPORATION”.

9        SEC. 165. (a) For each payment or group of pay-  
10        ments made by or on behalf of the District of Columbia  
11        Health and Hospitals Public Benefit Corporation, the  
12        Chief Financial Officer of the District of Columbia shall  
13        sign an affidavit certifying that the making of the pay-  
14        ment does not constitute a violation of any provision of  
15        subchapter III of chapter 13 of title 31, United States  
16        Code, or of any provision of this Act.

17        (b) More than one payment may be covered by the  
18        same affidavit under subsection (a), but a single affidavit  
19        may not cover more than one week’s worth of payments.

20        (c) It shall be unlawful for any person to order any  
21        other person to sign any affidavit required under this sec-  
22        tion, or for any person to provide any signature required  
23        under this section on such an affidavit by proxy or by ma-  
24        chine, computer, or other facsimile device.

1        SEC. 166. The District of Columbia Health and Hos-  
2        pitals Public Benefit Corporation may not obligate or ex-  
3        pend any amounts during fiscal year 2001 unless (at the  
4        time of the obligation or expenditure) the Corporation cer-  
5        tifies that the obligation or expenditure is within the budg-  
6        et authority provided to the Corporation in this Act.

7        SEC. 167. Nothing in this Act bars the District of  
8        Columbia Corporation Counsel from reviewing or com-  
9        menting on briefs in private lawsuits, or from consulting  
10       with officials of the District government regarding such  
11       lawsuits.

12       SEC. 168. (a) Notwithstanding any other provision  
13       of law, the Health Insurance Coverage for Contraceptives  
14       Act of 2000 (D.C. Bill 13–399) shall not take effect.

15       (b) Nothing in this section may be construed to pre-  
16       vent the Council or Mayor of the District of Columbia  
17       from addressing the issue of the provision of contraceptive  
18       coverage by health insurance plans, but it is the intent  
19       of Congress that any legislation enacted on such issue  
20       should include a “conscience clause” which provides excep-  
21       tions for religious beliefs and moral convictions.

22       SEC. 169. (a) Chapter 23 of title 11, District of Co-  
23       lumbia, is hereby repealed.

1 (b) The table of chapters for title 11, District of Co-  
 2 lumbia, is amended by striking the item relating to chap-  
 3 ter 23.

4 (c) The amendments made by this section shall take  
 5 effect on the date on which legislation enacted by the  
 6 Council of the District of Columbia to establish the Office  
 7 of the Chief Medical Examiner in the executive branch of  
 8 the government of the District of Columbia takes effect.

9 PROMPT PAYMENT OF APPOINTED COUNSEL

10 SEC. 170. (a) ASSESSMENT OF INTEREST FOR DE-  
 11 LAYED PAYMENTS.—If the Superior Court of the District  
 12 of Columbia or the District of Columbia Court of Appeals  
 13 does not make a payment described in subsection (b) prior  
 14 to the expiration of the 45-day period which begins on the  
 15 date the Court receives a completed voucher for a claim  
 16 for the payment, interest shall be assessed against the  
 17 amount of the payment which would otherwise be made  
 18 to take into account the period which begins on the day  
 19 after the expiration of such 45-day period and which ends  
 20 on the day the Court makes the payment.

21 (b) PAYMENTS DESCRIBED.—A payment described in  
 22 this subsection is—

23 (1) a payment authorized under section 11–  
 24 2604 and section 11–2605, DC Code (relating to  
 25 representation provided under the District of Colum-  
 26 bia Criminal Justice Act);



1           (2) a payment for counsel appointed in pro-  
2           ceedings in the Family Division of the Superior  
3           Court of the District of Columbia under chapter 23  
4           of title 16, DC Code; or

5           (3) a payment for counsel authorized under sec-  
6           tion 21–2060, DC Code (relating to representation  
7           provided under the District of Columbia Guardian-  
8           ship, Protective Proceedings, and Durable Power of  
9           Attorney Act of 1986).

10          (c) STANDARDS FOR SUBMISSION OF COMPLETED  
11          VOUCHERS.—The chief judges of the Superior Court of  
12          the District of Columbia and the District of Columbia  
13          Court of Appeals shall establish standards and criteria for  
14          determining whether vouchers submitted for claims for  
15          payments described in subsection (b) are complete, and  
16          shall publish and make such standards and criteria avail-  
17          able to attorneys who practice before such Courts.

18          (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
19          tion shall be construed to require the assessment of inter-  
20          est against any claim (or portion of any claim) which is  
21          denied by the Court involved.

22          (e) EFFECTIVE DATE.—This section shall apply with  
23          respect to claims received by the Superior Court of the  
24          District of Columbia or the District of Columbia Court

1 of Appeals after the expiration of the 90-day period which  
2 begins on the date of the enactment of this Act.

3 This Act may be cited as the “District of Columbia  
4 Appropriations Act, 2001.”



**Union Calendar No. 453**

106TH CONGRESS  
2D SESSION

**H. R. 4942**

**[Report No. 106-786]**

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**A BILL**

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

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JULY 25, 2000

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed